[redacted]

No. 29

[redacted]

UNITED STATES.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

PETITION FOR CERTIORARI FILED JANUARY 24, 1964
CERTIORARI GRANTED MAY 4, 1964

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1964

No. 29

FOREST BRITT PETER, PETITIONER,

vs.

UNITED STATES.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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[fol. A] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SOUTHERN DIVISION

Criminal No. 38684

Violation: Section 12(a) Universal Military Training and Service Act, 50 U.S.C., App. 462(a), Refusal to Submit to Induction.

UNITED STATES OF AMERICA, Plaintiff,

v.

FOREST BRITT PETER, Defendant.

INDICTMENT—Filed September 26, 1962

The Grand Jury charges: That

Forest Britt Peter,

defendant herein, being a male citizen of the age of 24 years, residing in the United States and under the duty to present himself for and submit to registration under the provisions of Public Law 569 of the 80th Congress, approved June 24, 1948, known as the "Selective Service Act of 1948," as amended by Public Law 51 of the 82nd Congress, approved June 19, 1951, known as the "Universal Military Training and Service Act," hereinafter called "said Act," and thereafter to comply with the rules and regulations made pursuant thereto, become a registrant of Local Board No. 53 of the Selective Service System in the City of Hayward, County of Alameda, State and Northern District of California, which said Local Board No. 53 was duly created, appointed and acting for the area of which the said defendant is a registrant, did, on or about the 22nd day of November, 1961, in the City of Hayward, County of Alameda, [fol. B] State and Northern District of California, know-

ingly fail to perform such duty that he, the said defendant, having theretofore been duly classified in Class I-A and having theretofore been duly ordered by his said Local Board No. 53, to report at Hayward, California, for forwarding to an induction station for induction into the Armed Forces of the United States, and having so reported, and thereafter having been forwarded to an induction station, to-wit, in the City of Oakland, County of Alameda, did, on the 22nd day of November, 1961, in the City of Oakland, County of Alameda, State and Northern District of California, knowingly refuse to submit himself to induction and be inducted into the Armed Forces of the United States as provided in the said Act and the rules and regulations made pursuant thereto.

A True Bill.

A. H. Luebkeman, Foreman.

Cecil F. Poole, United States Attorney.
(Approved as to Form JFH, [Initials Illegible]).

[fol. C]

38684

1—Count Indictment

UNITED STATES,

v.

FOREST BRITT PETER.

Violation: Section 12(a) Universal Military Training and Service Act, 50 U.S.C., App. 462(a), Refusal to Submit to Induction.

Penalty: May be imprisoned not more than 5 years, or may be fined not more than $10,000 or both.

Summons

A true bill,

A. H. Luebkeman, Foreman.

Filed in open court this ..... day of ..... A.D. 19.....

....., Clerk.

Bail, $ Summons shall issue

[Signature Illegible]

[fol. D]

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

No. Crim. 38684

UNITED STATES OF AMERICA,

v.

FOREST BRITT PETER.

JUDGMENT AND COMMITMENT—November 30, 1962

On this 30th day of November, 1962 came the attorney for the government and the defendant appeared in person and[1] with Coufisel.

It Is Adjudged that the defendant has been convicted upon his plea of[2] Not guilty, and a finding of Guilty of the offense of Violation: Section 12(a) Universal Military Training and Service Act, 50 U.S.C., App. 462(a), Refusal to Submit to Induction.

as charged[3] in the Indictment and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is Adjudged that the defendant is guilty as charged and convicted.

---

[1] Insert "by counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

[2] Insert (1) "guilty," (2) "not guilty, and a verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

[3] Insert "in count(s) number " if required.

It Is Adjudged that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of[4] Six (6) Months.

It Is Adjudged that[5] Stay of Execution for (7) Seven Days. (December 7, 1962)

It Is Ordered that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Michael J. Roche, United States District Judge.

The Court recommends commitment to:[6]

Judgment and Commitment
Filed this 30th day of November, 1962

James P. Weish, by Joseph A. [Illegible], Deputy Clerk.

Entered in Criminal Docket December 3, 1962.

Approved by James F. Hewitt, Assistant U. S. Attorney.

---

[4] Enter (1) sentence or sentences, specifying counts if any; (2) whether sentences are to run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of preceding term or to any other outstanding or unserved sentence; (3) whether defendant is to be further imprisoned until payment of the fine or fine and costs, or until he is otherwise discharged as provided by law.

[5] Enter any order with respect to suspension and probation.

[6] For use of Court wishing to recommend a particular institution.

[fol. E] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

No. 38684

[Title omitted]

NOTICE OF APPEAL—Filed December 3, 1962

Name and Address of Appellant: Forest Britt Peter, 56 Sanchez Street, Apartment 1, San Francisco, California.

Name and Address of Appellant's Attorneys: Neyhart & Grodin, 1035 Russ Building, San Francisco, California.

Offense: Violation of Section 12 (a) Universal Military Training and Service Act, 50 U. S. C., App. 462(a), Refusal to Submit to Induction.

Judgment: Defendant, Forest Britt Peter, was found guilty and was sentenced on November 3, 1962, to six months' confinement in an institution to be selected by the Attorney General. A one week Stay of Execution was granted and the defendant is now free on his own recognizance.

I, the attorney for the above named appellant hereby appeal to the United States Court of Appeal for the Ninth Circuit from the above stated judgment.

Neyhart & Grodin, By: Richard R. Heath, Attorneys for Defendant and Appellant.

[fol. 1]

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

No. 38684

Before: The Honorable Michael J. Roche, Judge.

THE UNITED STATES OF AMERICA, Plaintiff,

vs.

FOREST BRITT PETER, Defendant.

Reporter's Transcript of Proceedings—November 16, 1962

APPEARANCES:

For the Plaintiff: Cecil F. Poole, United States Attorney, By: James F. Hewitt, Assistant United States Attorney.

For the Defendant: Messrs. Neyhart & Grodin, By: Richard R. Heath, Esq.

[fol. 3] The Clerk: United States versus Forest Britt Peter. Would counsel please state their appearances for the record?

Mr. Heath: Richard Heath for the defendant.

Mr. Hewitt: James Hewitt, United States Attorney, for the government.

The Court: Proceed.

STIPULATION RE DEFENDANT

Mr. Hewitt: Very well, Your Honor.

May it please the Court, this is a case involving a denial of a claim for conscientious objector status and a refusal to submit and to be processed for induction. We would like to stipulate, with the agreement of counsel, that on November 22, 1961, this defendant reported to the induction station in Oakland and refused to be processed in accordance with the

applicable provisions of the law pertaining to induction. He did not take his physical examination. He did appear at the induction station but refused further processing. May we ask that this stipulation be entered into?

Mr. Heath: We will so stipulate.

Offers in Evidence

Mr. Hewitt: We would now like to offer, Your Honor, into evidence certain copies of the Selective Service file of this registrant, if there's no objection.

Mr. Heath: No objection, Your Honor.

Mr. Hewitt: And also, if the Court please, a supple-
[fol. 4] mental certified copy of the file pertaining to matters that arose after the certified file had been forwarded to our office. May I ask that that be marked Government's next in order?

The Court: They may be received in evidence.

The Clerk: This is one and two, Mr. Hewitt?

Mr. Hewitt: That's correct, Mr. Clerk.

The Clerk: Plaintiff's Exhibits No. 1 and 2 marked in evidence.

(The exhibits above described were received in evidence as Government's Exhibits 1 and 2.)

* * * * * * *

[fol. 12] Mr. Hewitt: We have no further evidence, Your Honor. That is the Government's case.

* * * * * * *

Motion for Acquittal and Denial Thereof

Mr. Heath: Your Honor, at this time I would like to make a motion for acquittal. My grounds for the motion is that there is no basis in fact in the file for the determina-
[fol. 13] tion which was made by the Selective Service Board denying the status of conscientious objector in this case.

* * * * * * *

[fol. 22] The Court: The Court is prepared to rule on your motion. Your motion will be denied.

Mr. Heath: The motion of acquittal is denied, Your Honor?

[fol. 23] The Court: Yes.

* * * * * * *

[fol. 25] Forest Britt Peter, called as a witness in his own behalf, being first duly sworn, testified as follows:

The Clerk: Would you please state your name and address.

The Witness: My name is Forest Britt Peter; I live at 56 Sanchez Street in San Francisco, apartment one.

Direct examination.

By Mr. Heath:

Q. Mr. Peter, you are, of course, the defendant in this case?

A. Yes.

Q. I would like for you to explain to the Court at this time the reason and the basis for your claim as a conscientious objector.

A. I think the basic reason—my religious basis for any conscientious objection to war is a reference to all living [fol. 26] things. I feel a relationship to all other living beings, and I feel called upon to respect them, and I could not kill them or engage in an institution such as the Armed Forces, which predicates this belief, which would lead one possibly in the service to commit such an act to kill.

Q. May I ask you where you acquired these beliefs, Mr. Peter?

A. As the record shows, through my reading, association with other people, and living in the world.

Q. What specific reading have you done which has led you to this belief?

A. I have done quite a bit of reading in Eastern philosophies, including Swanson and Confucius, the Buddhist teachings, the Four Noble Truths of Buddha, and the 8-fold Path to Righteousness. I have studied Christian mystics from Christ; I think I have read some of the parables of Christ; St. Francis; William Blake, 19th century American

minister; Ralph Waldo Emerson; Whitman; Thoreau; John Muir; modern American poets such as Kenneth .....; he has written a number of poems stating his opposition to war; Brother Antonitus, who was a conscientious objector during the Second World War.

* * * * * * *

[fol. 27] By Mr. Heath:

Q. What formal training have you had?

A. I attended Reed College for two years. I have worked —in regards to objection to war, I have worked quite a bit in the Pacifist movement in the Bay Area. I was a volunteer worker for Acts of Peace for almost a year. And I participated in statements against the United States policy of war.

Q. The reading and studying that you have testified to, the first here, did this take place in Reed College or afterward, or when?

A. It's taken place ever since high school days.

Q. Now, you were asked on the questionnaire, the Selective Service form for conscientious objector, if you believed in a Supreme Being, and I will ask you that question at this time. Do you believe in a Supreme Being?

A. I have always stated that it depended on the definition [fol. 28] of "Supreme Being." As it was stated in the form, there was no definition given in the form. I have also said that I couldn't possibly give the answer in just a yes or no question, because I think I have some right to define God or my religious beliefs in my own words.

Q. Would you define them for us now at this point?

A. I think that my actions are probably motivated most thoroughly by a feeling of relationship and love towards other human beings, and other living objects in the world, and in seeing these other living objects. I can narrow it down closer; I can define it as a belief in the mystery of the heart of them, the essence being alive, and my respecting and loving this livingness in other objects and human beings.

Q. Well, now, in relation to the question of a Supreme Being—

A. I suppose you could call that a belief in the Supreme Being or God. These just do not happen to be the words I use.

Mr. Heath: I have no further questions.

Cross examination.

By Mr. Hewitt:

Q. Would you tell us, Mr. Peter, what you understand by the word "religion"?

A. By "religion"—I think in my own terms, religion is based on two things. Number one would be vision, a vision [fol. 29] of reality in the world or the universe, and second, is conviction regarding that vision, the way a person reacts to his vision of reality.

Q. This is your definition of "religion"?

A. This is my definition to you now.

Q. Do you have any different definition of religion for the Selective Service System?

A. No. I think—

Q. So when you say your beliefs are religious, they are religious in that they relate to your convictions regarding reality?

A. Yes.

Mr. Hewitt: I have no further questions, Your Honor.

The Court: Any further questions?

Mr. Heath: I have nothing further.

The Court: Step down.

(Witness excused.)

Mr. Heath: Your Honor, the defense rests.

* * * * * * *

[fol. 35] The Court: Matter submitted?

Mr. Hewitt: Submitted, Your Honor.

Mr. Heath: Submitted.

The Court: The Court finds the defendant guilty as charged.

* * * * * * *

GOVERNMENT'S EXHIBIT No. 1

(See opposite) ☞

53

NAVY Form No. 1
(Revised 6 28 50)
Form approved
Budget Bur. No. [illegible]

SELECTIVE SERVICE SYSTEM

REGISTRATION CARD

SELECTIVE SERVICE NUMBER
4 53 38 188
(Registrar will not enter Selective Service number)

1 Name Peter Forest Britt
(Last) (First) (Middle)

2 Place of residence 928- Evergreen Ave
(Number and street or R. F. D. number)
San Leandro Calif
(City, town, village or county) (State)
[The place of residence given on the line above will determine Local Board jurisdiction]

3 Mailing address same
(Number and street or R. F. D. number)
same
(City, town, village or county) (State)

4 Name and address of person who will always know your address
Mr Clyde L. Peter 928- Evergreen Ave. S.L.
(Name) (Address)

5 Date of birth July 6 1938
(Month) (Day) (Year)

6 Place of birth Greenville
(City, town, village or county)
Calif.
(State or country)

7 Occupation Student

8 Employer Firm or individual (if self-employed, so state)

9 Nature of business, service rendered, or chief product

10 Place of employment or business San Leandro High School
(Number and street or R. F. D. number) (County) (State)

11 If you ever were rejected for service in the Armed Forces, give
Date Place

12 Marital status Married and living with wife ( ) Separated ( ) (Check here
Single (never married) (X) Divorced ( ) Widower ( ) if a Father ( )

(OVER)

16 46001 4

[Vol. 36]

12. Active duty in the Armed Forces of the United States or a cobelligerent nation since Sept. 16, 1940:

None
(Branch of Armed Forces) (Service number) (Date of entry)

None
(Name of last organization) (Date of separation)

14. Present membership in a reserve component of the Armed Forces:

None
(Branch of Armed Forces) (Service number) (Date of entry)

None
(Grade and organization)

I affirm that I have verified the foregoing answers and that they are true:

× Forest Britt Peter
(Signature of registrant)

DESCRIPTION OF REGISTRANT

15. Color of eyes Brown Color of hair Black Complexion fair

Height (approx.) 5 ft. 11 in. Weight (approx.) 150

Other obvious physical characteristics that will aid in identification:

None

I certify that my answers are true; that the person registered has read or has had read to him his own answers; that I have witnessed his signature or mark and that all of his answers of which I have knowledge are true, except as follows:

July 18, 1956 Vincent A. Cobbs
(Date of registration) (Signature of registrar)

Registrar for Local Board No. 53 Alameda California
(Number) (City or county) (State)

LOCAL BOARD No. 53
Alameda County

2063 B Street
Hayward, California
(Stamp of the Local Board of Jurisdiction as determined by Item 2, front of card)

[illegible]

...SYSTEM
...RT "D"
...1957
...Street
...California

Form approved.
Budget Bureau No. 33 R102.6.

SELECTIVE SERVICE SYSTEM

CLASSIFICATION QUESTIONNAIRE

LOCAL BOARD NO. 53
[illegible] County
[illegible] 2030 "D" Street
[illegible] California
(Local Board Stamp)

THIS QUESTIONNAIRE MUST BE RETURNED ON OR BEFORE
June 3, 1957

Date of mailing May 24, 1957
Date received back at local board _____

1. Name of Registrant			2. Selective Service No.	3. Date of birth
PETER (Last)	Forest (First)	Britt (Middle)	4 53 38 188	July 6, 1938 (Month) (Day) (Year)

4. Mailing address: 928 Evergreen Avenue, (Number and street or R. F. D. route) San Leandro, (City, town, or village) Ala., (Zone) California (County) (State)

NOTICE TO REGISTRANT

YOU ARE REQUIRED BY THE SELECTIVE SERVICE REGULATIONS TO FILL OUT THIS QUESTIONNAIRE TRUTHFULLY AND RETURN IT TO THIS LOCAL BOARD ON OR BEFORE THE DATE SHOWN IN THE OUTLINED BLOCK TO THE RIGHT ABOVE. WILLFUL FAILURE TO DO SO IS PUNISHABLE BY FINE AND IMPRISONMENT. AN ENTRY MUST APPEAR IN EVERY SERIES. WHEN THE QUESTIONS IN A GIVEN SERIES DO NOT APPLY TO YOU, ENTER "NONE," OR ENTER "DOES NOT APPLY" ACROSS THE SPACE.

FILL OUT THIS FORM ON TYPEWRITER, OR PRINT IN INK.

Elizabeth Steele
Clerk or Member of Local Board.

(All of the above items, except the date received back at local board are to be filled in by the local board clerk before the questionnaire is mailed to the registrant.)

INSTRUCTIONS TO REGISTRANT

1. This questionnaire is intended to furnish your local board with information to enable it to classify you. The local board will mail you a notice of your classification.
2. You are required to sign the certificate on page 7. If another person assists you in completing this questionnaire, the person assisting is required to complete the statement following your certificate. Imprisonment for not more than five years or a fine of not more than $10,000, or both such fine and imprisonment, is provided by law as a penalty for knowingly making, or being a party to the making, of any false statement or certificate regarding or bearing upon a classification.

Fol. 39

[illegible] 1078 "B" Street
[illegible]
(Local Board Stamp)

June 3, 1957

Date of mailing May 24, 1957

Date received back at local board

1. Name of Registrant			2. Selective Service No.	3. Date of birth
PETER (Last)	Forest (First)	Brikk (Middle)	4 53 38 188	July 6, 1938 (Month) (Day) (Year)

4. Mailing address

928 Evergreen Avenue, (Number and street or R. F. D. route) | San Leandro, (City, town, or village) | Ala., (Zone) | California (County) | (State)

NOTICE TO REGISTRANT

YOU ARE REQUIRED BY THE SELECTIVE SERVICE REGULATIONS TO FILL OUT THIS QUESTIONNAIRE TRUTHFULLY AND RETURN IT TO THIS LOCAL BOARD ON OR BEFORE THE DATE SHOWN IN THE OUTLINED BLOCK TO THE RIGHT ABOVE. WILLFUL FAILURE TO DO SO IS PUNISHABLE BY FINE AND IMPRISONMENT. AN ENTRY MUST APPEAR IN EVERY SERIES. WHEN THE QUESTIONS IN A GIVEN SERIES DO NOT APPLY TO YOU, ENTER "NONE," OR ENTER "DOES NOT APPLY" ACROSS THE SPACE.

FILL OUT THIS FORM ON TYPEWRITER, OR PRINT IN INK.

E. Elizabeth Brooks
Clerk or Member of Local Board.

(All of the above items, except the date received back at local board are to be filled in by the local board clerk before the questionnaire is mailed to the registrant.)

INSTRUCTIONS TO REGISTRANT

1. This questionnaire is intended to furnish your local board with information to enable it to classify you. The local board will mail you a notice of your classification.
2. You are required to sign the certificate on page 7. If another person assists you in completing this questionnaire, the person assisting is required to complete the statement following your certificate. Imprisonment for not more than five years or a fine of not more than $10,000, or both such fine and imprisonment, is provided by law as a penalty for knowingly making, or being a party to the making, of any false statement or certificate regarding or bearing upon a classification.
3. If you are an inmate of an institution and are unable to complete this questionnaire the executive head of such institution should communicate that fact immediately to your local board. The questionnaire should be completed upon your release.
4. Make no alterations in the printed matter in this questionnaire.
5. All spaces in Series I, V, VIII, IX, XI, XIII, XIV, and XV must be completed insofar as they pertain to you. When the questions in the other series do not apply to you, enter "None" or enter "Does Not Apply."
6. If you furnish additional information or affidavits, insert those within the questionnaire.
7. If you are now on active duty with the Armed Forces, execute only Series I and II of the questionnaire and return it to your local board.
8. After this questionnaire has been returned, report to your local board at once any change of address, any change in marital or dependency status, any change in place of employment or occupation, or any other new fact which may affect your classification.

SSS Form No. 100 (Revised 3-21-56) Supplies of previous printings shall be used until exhausted.

16—88744-4

Fol. 39

14

Statements in This Questionnaire Are Confidential as Prescribed in the Selective Service Regulations

Fill Out This Form on TYPEWRITER or Print in Ink

STATEMENTS OF THE REGISTRANT

Series I.—IDENTIFICATION

INSTRUCTIONS: You are required to complete all entries in this series. Please print.

First Name	Middle Name	Last Name
Forest	Britt	Peter

Other Names Used: Reed College Portland 2, Oregon or

Present Address: 428 Evergreen Ave. (Number and street or R. F. D. route) San Leandro (City, town, or village) Alameda (County) Calif (State) from June to Sept.

Telephone No. (If none, enter "None")	Social Security No. (If none, enter "None")
none	546-46-9944

Series II.—PRESENT MEMBER OF ARMED FORCES, OR RESERVE COMPONENT, OR OFFICER TRAINING PROGRAM

INSTRUCTIONS.—(1) You are required to complete the first part of this series if you are on active duty in the Armed Forces of the United States, the Coast Guard, a cadet or midshipman at an Armed Force academy, a commissioned officer of the Public Health Service or the Coast and Geodetic Survey on active duty, or a midshipman, Merchant Marine Academy. This information will be verified by the branch of service concerned. If none, enter "None."

Branch of Service or Organization	Service No.	Date of Entry
none	none	

INSTRUCTIONS.—(2) You are required to complete the second part of this series if you are a member of the federally recognized National Guard or Air National Guard, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve, or the Public Health Service Reserve; or if you have been selected for enrollment or continuance in the senior division, Reserve Officer Training Corps, or the Air Reserve Officer Training Corps or the Navy Reserve Officer Training Corps, or the Naval and Marine Corps officer candidate training program or the Reserve officers' candidate program of the Navy, or the platoon leaders' class of the Marine Corps or the officer procurement programs of the Coast Guard and Coast Guard Reserve, or appointed an ensign, United States Naval Reserve, while undergoing professional training; or if you are a fully qualified and accepted aviation cadet applicant. If none, enter "None."

Branch of Armed Forces (Army, Navy, Air Force, etc.)	Reserve Component or Program (Show organized unit, unorganized unit, National Guard, aviation cadet applicant, ROTC, AROTC, NROTC, etc.)	Service Number (If applicable)	Date of Latest Entry or Date of Selection, Appointment, or Acceptance
none	none		

[fol. 40]

Series III.—PRIOR MILITARY SERVICE

INSTRUCTIONS.—You are required to complete the items in this series if you have been on active duty as a member of the Armed Forces of the United States, the Coast Guard, the Public Health Service, the Coast and Geodetic Survey or the armed forces of a foreign country. (Use a separate line for each term of service, listing last service first.) If none, enter "None."

1. Branch of Armed Forces or Country	Date of Entry Into Active Service (Month, Day, Year)	Service Number	Date of Separation From Active Service (Month, Day, Year)	Character of Separation (Honorable, General, Dishonorable)
none	none			

2. Does service shown in Item 1 above include any time spent in the Army Specialized Training Program or any similar program conducted by the Navy, or as a cadet or midshipman in one of the armed service academies or in the Merchant Marine Academy, or on active duty for training only? Yes ☐; No ☐.

3. If your answer to Item 2 above is "Yes" give the name of the program or academy ....., date of entry ..... (Month) (Day) (Year) and date of release ..... (Month) (Day) (Year) from such Service.

Series IV.—OFFICIALS DEFERRED BY LAW

Reed College Portland 2, Oregon or

PRESENT ADDRESS

429 EVERGREEN AVE. SAN Leandro Alm. Calif from your Dept.
(Number and street or R. F. D. route) (City, town, or village) (Zone) (County) (State)

TELEPHONE NO. (If none, enter "None")	SOCIAL SECURITY NO. (If none, enter "None")
none	546-46-9944

Series II.—PRESENT MEMBER OF ARMED FORCES, OR RESERVE COMPONENT, OR OFFICER TRAINING PROGRAM

INSTRUCTIONS.—(1) You are required to complete the first part of this series if you are on active duty in the Armed Forces of the United States, the Coast Guard, a cadet or midshipman at an Armed Force academy, a commissioned officer of the Public Health Service or the Coast and Geodetic Survey on active duty, or a midshipman, Merchant Marine Academy. This information will be verified by the branch of service concerned. If none, enter "None."

Branch of Service or Organization	Service No.	Date of Entry
none	none	

INSTRUCTIONS.—(2) You are required to complete the second part of this series if you are a member of the federally recognized National Guard or Air National Guard, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve, or the Public Health Service Reserve; or if you have been selected for enrollment or continuance in the senior division, Reserve Officer Training Corps, or the Air Reserve Officer Training Corps or the Navy Reserve Officer Training Corps, or the Naval and Marine Corps officer candidate training program or the Reserve officers' candidate program of the Navy, or the platoon leaders' class of the Marine Corps or the officer procurement programs of the Coast Guard and Coast Guard Reserve, or appointed an ensign, United States Naval Reserve, while undergoing professional training; or if you are a fully qualified and accepted aviation cadet applicant. If none, enter "None."

Branch of Armed Forces (Army, Navy, Air Force, etc.)	Reserve Component or Program (Show organized unit, unorganized unit, National Guard, aviation cadet applicant, ROTC, AROTC, NROTC, etc.)	Service Number (If applicable)	Date of Latest Entry or Date of Selection, Appointment, or Acceptance
none	none		

Series III.—PRIOR MILITARY SERVICE

INSTRUCTIONS.—You are required to complete the items in this series if you have been on active duty as a member of the Armed Forces of the United States, the Coast Guard, the Public Health Service, the Coast and Geodetic Survey or the armed forces of a foreign country. (Use a separate line for each term of service, listing last service first.) If none, enter "None."

1. Branch of Armed Forces or Country	Date of Entry Into Active Service (Month, Day, Year)	Service Number	Date of Separation From Active Service (Month, Day, Year)	Character of Separation (Honorable, General, Dishonorable)
none	none			

2. Does service shown in Item 1 above include any time spent in the Army Specialized Training Program or any similar program conducted by the Navy, or as a cadet or midshipman in one of the armed service academies or in the Merchant Marine Academy, or on active duty for training only? Yes ☐; No ☐.

3. If your answer to Item 2 above is "Yes" give the name of the program or academy .....,
date of entry ..... (Month) (Day) (Year) and date of release ..... (Month) (Day) (Year) from such Service.

Series IV.—OFFICIALS DEFERRED BY LAW

1. I am at present the Governor of a State, Territory, or possession; a public official chosen by the voters of an entire State, Territory, or possession; a member of the legislative body of the United States or of a State, Territory, or possession; a judge of a court of record of the United States, or of a State, Territory, or possession or the District of Columbia; my office is ..... (If none, enter "None")

2. My term of office expires ..... (Date)

50C—19—53744-6

[fol. 40]

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Series V.—SOLE SURVIVING SON

I AM Not the sole surviving son of a family of which one or more sons or daughters were killed in action (Am, am not)
or died in line of duty while serving in the Armed Forces of the United States or subsequently died as a result of injuries received or disease incurred during such service.

Series VI.—MINISTER, OR STUDENT PREPARING FOR THE MINISTRY

INSTRUCTIONS.—You are required to complete the statements in this series if you are a minister or a student preparing for the ministry. If not applicable, enter "Does Not Apply" across this series.

1. (a) I ..... (am, am not) a minister of religion. (b) I ..... (do, do not) regularly serve as a minister.

(c) I have been a minister of the ..... (Name of sect or denomination) since ..... (Month) (Day) (Year)

(d) I ..... (have, have not) been formally ordained. (e) If so, my ordination was performed on ..... (Month, day, year)

by ..... (Ecclesiastical official performing the ordination) at ..... (City and State)

2. (a) I ..... (am, am not) a student preparing for the ministry under the direction of .....

..... (Name of church or religious organization) in a theological or divinity school.

(b) I am attending the ..... (Name of theological or divinity school)

located at .....

3. I ..... (am, am not) a student preparing for the ministry under the direction of .....

..... (Name of church or religious organization), pursuing a full-time course of instruction

leading to my entrance into ..... (Name of theological or divinity school)

located at ....., in which I have been pre-enrolled.

Series VII.—CONSCIENTIOUS OBJECTION TO PARTICIPATION IN WAR IN ANY FORM

INSTRUCTIONS.—You should complete this series by signing the statement below, requesting a Special Form for Conscientious Objector (SSS Form No. 150), from the local board, if, by reason of religious training and belief you are conscientiously opposed to participation in war in any form. DO NOT SIGN THIS SERIES UNTIL YOU HAVE READ CAREFULLY.

BY REASON OF RELIGIOUS TRAINING AND BELIEF I AM CONSCIENTIOUSLY OPPOSED TO PARTICIPATION IN WAR IN ANY FORM AND FOR THIS REASON HEREBY REQUEST THAT THE LOCAL BOARD FURNISH ME A SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR (SSS FORM NO. 150) WHICH I AM TO COMPLETE AND RETURN TO THE LOCAL BOARD FOR ITS CONSIDERATION.

..... (Signature)

Series VIII.—FAMILY STATUS AND DEPENDENTS

INSTRUCTIONS.—You are required to complete this series, and to furnish such other information as required by the local board.

1. (a) I have never been married ☒; I am a widower ☐; I am divorced ☐; I am married ☐. (Check appropriate box)

(b) I ..... (do, do not) live with my wife; if not, her address is Does not apply

(c) We were married at Does not Apply (Place) on ..... (Date)

2. I have Does not Apply (Number) children under 18 years of age of whom ..... (Number) live with me in my home.

3. The following persons, other than those shown above, are wholly or partially dependent upon me for support. I contribute the amounts, and they have income, as shown. (Use added sheet if necessary.)

Name	Age	Relationship	Approximate Income (Annual)	Amount Contributed by Me
Address			$	$
Name	16			

[fol. 41]

(c) I have been a minister of the ..... (Name of sect or denomination) since ..... (Month) (Day) (Year)

(d) I ..... (have, have not) been formally ordained (e) If so, my ordination was performed on ..... (Month, day, year)

by ..... (Ecclesiastical official performing the ordination) at ..... (City and State)

2. (a) I ..... (am, am not) a student preparing for the ministry under the direction of .....

..... (Name of church or religious organization) in a theological or divinity school.

(b) I am attending the ..... (Name of theological or divinity school)

located at .....

3. I ..... (am, am not) a student preparing for the ministry under the direction of .....

....., pursuing a full-time course of instruction (Name of church or religious organization)

leading to my entrance into ..... (Name of theological or divinity school)

located at ....., in which I have been pre-enrolled.

Series VII.—CONSCIENTIOUS OBJECTION TO PARTICIPATION IN WAR IN ANY FORM

INSTRUCTIONS.—You should complete this series by signing the statement below, requesting a Special Form for Conscientious Objector (SSS Form No. 150), from the local board, if, by reason of religious training and belief you are conscientiously opposed to participation in war in any form. DO NOT SIGN THIS SERIES UNTIL YOU HAVE READ CAREFULLY.

BY REASON OF RELIGIOUS TRAINING AND BELIEF I AM CONSCIENTIOUSLY OPPOSED TO PARTICIPATION IN WAR IN ANY FORM AND FOR THIS REASON HEREBY REQUEST THAT THE LOCAL BOARD FURNISH ME A SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR (SSS FORM NO. 150) WHICH I AM TO COMPLETE AND RETURN TO THE LOCAL BOARD FOR ITS CONSIDERATION.

..... (Signature)

Series VIII.—FAMILY STATUS AND DEPENDENTS

INSTRUCTIONS.—You are required to complete this series, and to furnish such other information as required by the local board.

1. (a) I have never been married ☒; I am a widower ☐; I am divorced ☐; I am married ☐. (Check appropriate box)

(b) I ..... (do, do not) live with my wife; if not, her address is does not Apply

(c) We were married at Does not Apply (Place) on ..... (Date)

2. I have Does (Number) children under 18 years of age of whom not Apply (Number) live with me in my home.

3. The following persons, other than those shown above, are wholly or partially dependent upon me for support. I contribute the amounts, and they have income, as shown. (Use added sheet if necessary.)

NAME ADDRESS	AGE	RELATIONSHIP	APPROXIMATE INCOME (ANNUAL)	AMOUNT CONTRIBUTED BY ME
NAME ADDRESS			$	$
NAME ADDRESS			$	$
NAME ADDRESS			$	$
NAME ADDRESS			$	$

NOTE.—You should submit to the local board on a separate sheet attached to this questionnaire any additional information concerning your status with respect to persons dependent upon you for support which you believe should be considered by the local board.

[fol. 41]

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Series IX.—PRESENT OCCUPATION

1. You are required to check each of the following boxes appropriate to your case, to complete all other required entries in this series, and to furnish such added information as required by the local board.

(a) I am now working on a farm, orchard, or ranch. [ ] | If this box is checked, complete Series X.

(b) I am now working in a nonagricultural occupation. [ ] | If this box is checked, complete this series.

(c) I am now a full-time student. [X] | If this box is checked, complete Series XII.

(d) I am now an apprentice. [ ] | If this box is checked, complete this series.

(e) I now have no employment nor am I a full-time student. [ ] | If this box is checked, complete Items 7 and 8 of this series.

2. The job I am now working at is (give full title, for example: Construction draftsman, turret-lathe operator, stationary engineer, farm laborer, prosecuting attorney, physics teacher, policeman, marriage-license clerk, etc.):

does not apply

3. I do the following kind of work in my present job. (Be specific. Give a brief statement of your duties.):

Study.

4. In my present occupation, I am (Check one box only)

(a) A regular or permanent paid employee, working for salary, wages, commission, or other compensation [ ]. I have worked ____ years in my present occupation, and I (do, do not) expect to continue indefinitely in it. does not apply

(b) A temporary or occasional employee [ ]; I expect that my present job will end about (Date) ____. //

(c) An apprentice under a written or oral agreement with my employer, which expires (Date) ____ [ ]. //

(d) An independent worker, working on my own account, not hired by anyone, and not hiring any help [ ]. //

(e) Working for my father or for the head of my family, but receiving no pay [ ]. //

(f) An employer or proprietor hiring ____ (Number) paid workers [ ]. //

5. My employer is 4467'th
(Name of organization or proprietor, not foreman or supervisor; enter "Self" if self-employed)

(Address of place of employment: Street, or R. F. D. Route, City, and State)

whose business is does not apply
(Nature of business, service rendered, or chief product)

6. In my present occupation (complete all Items)—

(a) I was employed by present employer on (Date) ____

(b) I entered job described in Items 2 and 3, this series, on 10 Dec 24 (Date)

(c) I am paid at the rate of $ 1.00 per hour [ ]; day [ ]; week [ ]; month [ ]. (Check appropriate box)

(d) I work an average of 48 hours per week.

7. Other business or work in which I am now engaged is ____
(Nature of business, if none, enter "None")

[fol. 42]

(c) I am now a full-time student. [X] | If this box is checked, complete Series XII.

(d) I am now an apprentice. [ ] | If this box is checked, complete this series.

(e) I now have no employment nor am I a full-time student. [ ] | If this box is checked, complete items 7 and 8 of this series.

2. The job I am now working at is (give full title, for example: Construction draftsman, turret-lathe operator, stationary engineer, farm laborer, prosecuting attorney, physics teacher, policeman, marriage-license clerk, etc.):

does not apply

3. I do the following kind of work in my present job. (Be specific. Give a brief statement of your duties.):

Study.

4. In my present occupation, I am (Check one box only)

(a) A regular or permanent paid employee, working for salary, wages, commission, or other compensation [ ]. does not apply
I have worked ____ years in my present occupation, and I (do, do not) expect to continue indefinitely in it.

(b) A temporary or occasional employee [ ]; I expect that my present job will end about ____ (Date) //

(c) An apprentice under a written or oral agreement with my employer, which expires ____ (Date) [ ]. //

(d) An independent worker, working on my own account, not hired by anyone, and not hiring any help [ ]. //

(e) Working for my father or for the head of my family, but receiving no pay [ ]. //

(f) An employer or proprietor hiring ____ (Number) paid workers [ ]. //

5. My employer is ... does not apply
(Name of organization or proprietor, not foreman or supervisor; enter "Self" if self-employed)

(Address of place of employment. Street, or R. F. D. Route, City, and State)

whose business is does not apply
(Nature of business, service rendered, or chief product)

6. In my present occupation (complete all items)--

(a) I was employed by present employer on ____ (Date)

(b) I entered job described in Items 2 and 3, this series, on ____ (Date)

(c) I am paid at the rate of $ ____ per hour [ ]; day [ ]; week [ ]; month [ ]. (Check appropriate box)

(d) I work an average of ____ hours per week.

7. Other business or work in which I am now engaged is ____ (Nature of business; if none, enter "None")

8. Prior work experience Hardly good letters for inmates ...

NOTE. You may attach to this page a statement giving additional information which you think the local board should consider in determining your classification, which statement will then become a part of this questionnaire. Your employer may submit to the local board any information concerning your employment which he thinks the local board should consider in determining your classification.

16 45744 4

Series X.—AGRICULTURAL OCCUPATION

INSTRUCTIONS.—You are required to complete this series if you work on a farm, orchard, or ranch, and shall furnish such added information as required by the local board.

If the items do not apply to you, enter "Does Not Apply" across this space.

1. I work on or operate a farm, orchard, or ranch as (Check appropriate boxes)—

(a) Sole owner-operator of the farm ☐.

(b) Joint owner-operator with ..... (Name) (Address) ☐.

(c) Hired manager for ..... (Name) (Address) ☐.

(d) Cash tenant or renter..... ☐.
(e) Standing rent tenant..... ☐.
(f) Share cropper..... ☐.
(g) Share tenant..... ☐.

My agreement with ..... (Name of landlord)

expires ..... (Month) (Day) (Year)

(h) Wage hand (hired man)..... ☐.
(i) Unpaid family worker..... ☐.

..... (Name and address of employer)

2. I have been engaged in farm work continuously since ..... (Date) 3. I ..... (do, do not) live on the farm where I work.

4. I ..... (am, am not) actually and personally responsible for the operation of the farm where I work.

5. The principal crops and livestock of the farm I operate or work on are:

Names of Crops	Acres Devoted to Each	Kinds of Livestock	Number of Each Now on Farm

6. Total value of products sold from this farm during the last crop year $.....

7. Principal products marketed during the last two years .....

8. The number of year-round workers on this farm is ..... (Number) of whom ..... (Number) are hired hands.

9. I am paid at the rate of $..... per hour ☐; day ☐; week ☐; month ☐. (Check appropriate box)

10. Other facts which I consider necessary to present fairly the farming or farm work I have described and my connection with it as a ground for classification are (if none, enter "None") .....

11. Other business or work in which I am now engaged .....

(Name) (Address)

(d) Cash tenant or renter..... ☐.
(e) Standing rent tenant..... ☐.
(f) Share cropper..... ☐.
(g) Share tenant..... ☐.
(h) Wage hand (hired man)..... ☐.
(i) Unpaid family worker..... ☐.

My agreement with _____ (Name of landlord)

expires _____ (Month) (Day) (Year)

_____ (Name and address of employer)

2. I have been engaged in farm work continuously since _____ (Date) 3. I _____ (do, do not) live on the farm where I work.

4. I _____ (am, am not) actually and personally responsible for the operation of the farm where I work.

5. The principal crops and livestock of the farm I operate or work on are:

Names of Crops	Acres Devoted to Each	Kinds of Livestock	Number of Each Now on Farm

6. Total value of products sold from this farm during the last crop year $_____

7. Principal products marketed during the last two years _____

8. The number of year-round workers on this farm is _____ (Number) of whom _____ (Number) are hired hands.

9. I am paid at the rate of $_____ per hour ☐; day ☐; week ☐; month ☐. (Check appropriate box)

10. Other facts which I consider necessary to present fairly the farming or farm work I have described and my connection with it as a ground for classification are (if none, enter "None") _____

11. Other business or work in which I am now engaged _____ (Nature of business; if none, enter "None")

12. Prior work experience _____

NOTE.—You may attach to this page a statement giving any additional information which you think the local board should consider in determining your classification, which statement will then become a part of this questionnaire. Your employer may submit to the local board any information concerning your employment which he thinks the local board should consider in determining your classification.

o—10—62716-4

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[fol. 43]

18

Series XI.—COMPLETED EDUCATION

INSTRUCTIONS.—You are required to complete this series.

1. I have completed 6 (Number) years of elementary school, 3 (Number) years of junior high school, and 3 (Number) years of high school.
2. I WAS (was, was not) graduated from high school.
3. I have completed the following schooling other than elementary and high school (if none, enter "None"):

Name of College, University, Preparatory, Trade or Business School	Course of Study	Length of Time Attended and Degrees or Certificates Granted
Reed College	FRESHMAN	From 10/24/56 to 6/1/57

Series XII.—STUDENTS

INSTRUCTIONS.—You are required to complete this series in addition to Series XI if you are a full-time high school or college student unless you have completed Series VI above. If you believe that you should be placed in a deferred class because of your student status you should file with the local board the necessary supporting evidence. If not applicable, write "Does Not Apply" across this space.

1. (a) I am a full-time student at REED College (Name of institution)

located at Portland 2, Oregon, majoring in History (Course of study),

preparing for TEACHING (Occupation or profession)

(b) I expect to receive from this institution a B. A. (Kind of certificate, diploma, or degree; if none, enter "None")

on JUNE, 1960 (Date)

(c) I intend to take an examination for license in NONE (Profession) (If none, enter "None") on _____ (Date)

Series XIII.—CITIZENSHIP

INSTRUCTIONS.—(1) You are required to complete Items 1 and 2 of this series.

1. I was born at Greenville (Town or county) Calif. (State) U.S.A. (Country) on July 6, 1938 (Date)
2. I am a citizen or subject of United States of America (Country)

INSTRUCTIONS.—(2) You are also required to complete Items 3 and 4 of this series if you are not a citizen of the United States.

3. I have been admitted to the United States for _____ (Permanent/temporary)

residence on _____ (Date of entry)

4. My Alien Registration Receipt Card Number is _____

INSTRUCTIONS.—If you have not been admitted to the United States for permanent residence, you must attach to this page a supplemental statement setting out the date you first entered the United States, with the dates of each subsequent departure and reentry when applicable. You should accompany this statement with any documentary evidence in your possession verifying your claimed alien status.

Series XIV.—COURT RECORD

INSTRUCTIONS.—You are required to complete this series. If you have no court record, enter "None."

1. I have been convicted of crimes, other than minor traffic violations, as recorded below.
List all convictions, last conviction first.

Offense (Last conviction)	Date of Conviction (Month, Day, Year)	Court (Name and Location)	Sentence
	NONE		

[fol. 44]

		4-1113

Series XII.—STUDENTS

INSTRUCTIONS.—You are required to complete this series in addition to Series XI if you are a full-time high school or college student unless you have completed Series VI above. If you believe that you should be placed in a deferred class because of your student status you should file with the local board the necessary supporting evidence. If not applicable, write "Does Not Apply" across this space.

1. (a) I am a full-time student at REED College (Name of institution)

located at Portland 2, Oregon, majoring in History (Course of study),

preparing for Teaching (Occupation or profession)

(b) I expect to receive from this institution a B. A. (Kind of certificate, diploma, or degree; if none, enter "None")

on JUNE, 1960 (Date)

(c) I intend to take an examination for license in NONE (Profession) (If none, enter "None") on _____ (Date)

Series XIII.—CITIZENSHIP

INSTRUCTIONS.—(1) You are required to complete Items 1 and 2 of this series.

1. I was born at Greenville (Town or county) Calif. (State) U.S.A. (Country) on July 6, 1938 (Date)

2. I am a citizen or subject of United States of America (Country)

INSTRUCTIONS.—(2) You are also required to complete Items 3 and 4 of this series if you are not a citizen of the United States.

3. I have been admitted to the United States for _____ (Permanent/temporary)

residence on _____ (Date of entry)

4. My Alien Registration Receipt Card Number is _____

INSTRUCTIONS.—If you have not been admitted to the United States for permanent residence, you must attach to this page a supplemental statement setting out the date you first entered the United States, with the dates of each subsequent departure and reentry when applicable. You should accompany this statement with any documentary evidence in your possession verifying your claimed alien status.

Series XIV.—COURT RECORD

INSTRUCTIONS.—You are required to complete this series. If you have no court record, enter "None."

1. I have been convicted of crimes, other than minor traffic violations, as recorded below.
List all convictions, last conviction first.

Offense (Last conviction)	Date of Conviction (Month, Day, Year)	Court (Name and Location)	Sentence
	NONE		

2. I am not (am, am not) now being retained in the custody of a court of criminal jurisdiction, or other civil authority.

Specify does Not Apply (Awaiting trial, on parole, etc.)

[fol. 44]

Series XV.—PHYSICAL CONDITION

INSTRUCTIONS.—You are required to complete this series. If you answer any of the questions listed below by "Yes" and believe yourself physically disqualified for service in the Armed Forces you should attach an affidavit from your physician, hospital, or sanatorium to support your claim.

1. Were you ever rejected for service in the Armed Forces? Yes ☐; No ☒.
2. If the answer to Question 1 is "Yes," show (1) where ..... (2) when .....
3. Do you have any physical or mental condition which, in your opinion, will disqualify you from service in the Armed Forces? Yes ☐; No ☒.
4. If the answer to Question 3 is "Yes," state the condition from which you are suffering .....

.....

5. Are you now, or have you ever been, an inmate or a patient in a mental hospital or institution? Yes ☐; No ☒.
6. Are you now, or have you ever been, an inmate or a patient in a tuberculosis hospital or sanatorium? Yes ☐; No ☒.
7. If the answer to Question 5 or Question 6 is "Yes," give the name and address of each hospital, institution, or sanatorium .....

.....

.....

.....

8. Have you had treatment from a physician for any operation or serious illness within the last 5 years? Yes ☐; No ☒.
9. If the answer to Question 8 is "Yes," state the condition from which you suffered and give the name and address of the physician who attended you, and the approximate dates of each treatment .....

.....

PRECAUTIONARY INSTRUCTIONS

You may attach to this page any additional statement which you believe should be brought to the attention of the local board in determining your classification.

REGISTRANT'S CERTIFICATE

INSTRUCTIONS.—1. You are required to make the registrant's certificate. 2. If you cannot read, the questions and your answers thereto shall be read to you by the person who assists you in completing this questionnaire. 3. If you are unable to sign your name, you shall make your mark in the space provided for your signature in the presence of two persons who shall sign as witnesses.

NOTICE.—Imprisonment for not more than five years or a fine of not more than $10,000, or both such fine and imprisonment, is provided by law as a penalty for knowingly making or being a party to the making of any false statement or certificate regarding or bearing upon a classification. (Universal Military Training and Service Act, as amended.)

I, Forest Britt Peter, certify that I am the registrant named and described in the foregoing statements in this questionnaire; that I have read (or have had read to me) the statements made by and about me, and that each and every such statement is true and complete to the best of my knowledge, information, and belief. The statements made by me in the foregoing are (are, are not) in my own handwriting.

Registrant sign here ☞ Forest Britt Peter

(Signature or mark of registrant)

.....

(Signature of witness to mark of registrant)

Date May 27, 1952

.....

(Signature of witness to mark of registrant)

If another person has assisted you in completing this questionnaire, such person shall sign the following statement:

I have assisted the registrant herein named in preparation of this questionnaire because .....

.....

(For example: registrant unable to read and write English, etc.)

Date .....

.....

(Signature of person who has assisted)

[fol. 45]

(Registrants Will Make No Entries on This Page)

Dates	Minutes of Actions by Local Board and Appeal Board and on Appeal to the President	Vote Yes	Vote No
3/4/58	Issued Form 150 (Form for Consc. Objector) eg		
	7 PA) [illegible]	2	0
6-18-59	C137 mailed		
	[illegible]		
JUL 13 1959	[illegible]		
7-21-59	Letter of appeal received - dated July 19, 1959 - timely Request for personal appearance.		
7-23-59	C-310 mailed Personal Appearance granted- Scheduled for Aug. 3, 1959		
1959	Case reviewed after personal appearance Not reopened	2	0
8-4-59	Form 110 mailed		
8-13-59	File Forwarded to Appeal Board		
8-19-59	Cover Sheet returned from appeal board - Letter to be Initial by Bd. Members		
9-8-59	Reviewed & not reopened	2	0
9-8-59	Form 1 [illegible]	2	0
9-9-59	File Forwarded to Appeal Board		
10-8-59	Appeal Board For Selective Service System in the Northern Federal Judicial District of the State of California has tentatively determined that the registrant should not be classified in Class I-O or in a lower class. Elwood R. Olsen		
11-18-60	Cover Sheet returned from appeal board -Classified 1-A	5	0
11-18-60	Form 110 mailed		
7-20-61	SS Form 223 mailed (Order to report for Phy Exam 8-30-61)		
9-12-61	Failed to report for PIP		
OCT 2 1961	[illegible]		
	[illegible]	2	

[fol. 46]

SELECTIVE SERVICE SYSTEM MINUTES

6-18-59	C137 mailed		
JUL 13 1959			
7-21-59	Letter of appeal received - dated July 19, 1959 - timely Request for personal appearance.		
7-23-59	C-310 mailed Personal Appearance granted- Scheduled for Aug. 3, 1959		
AUG 3 1959	Case reviewed at personal appearance but not reopened	2	0
8-6-59	Form 110 mailed		
8-13-59	File Forwarded to Appeal Board		
8-19-59	Cover Sheet returned from appeal board - Letter to be Initial by Bd. Members		
9-8-59	Reviewed and not reopened	2	0
9-8-59	Forwarded to appeal Board	2	0
9-9-59	File Forwarded to Appeal Board		
10-8-59	Appeal Board For Selective Service System in the Northern Federal Judicial District of the State of California has tentatively determined that the registrant should not be classified in Class I-O or in a lower class. Elwood R. Olsen		
11-18-60	Cover Sheet returned from appeal board -Classified 1-A	5	0
11-18-60	Form 110 mailed		
7-20-61	SS Form 223 mailed (Order to report for Phy Exam 8-30-61)		
9-12-61	Failed to report for PIP		
SEP 8 1961			
		2	
10-3-61	Mailed S Form 304 (Delinquency Notice)		
10-13-61	SS Form 252 mailed (Order to report for Induction 11-22-61)		
11-29-61	Papers ret'd from Ind. Sta. (Failed to submit to Ind.)		

SELECTIVE SERVICE SYSTEM—CLASSIFICATION QUESTIONNAIRE
MINUTES OF ACTION—CONTINUED

NAME OF REGISTRANT	SELECTIVE SERVICE NO
PETER, Forest Britt	4 53 38 188

Dates	Minutes of Actions by Local Board, Appeal Board, and on Appeal to the President	Vote Yes	Vote No
1-22-62	SS Form 301 mailed U.S. Attorney		
6-7-62	SS Form #1 & 101(file) to SHQ		

[illegible]

To be used to provide additional pages of SSS Form No. 100 when more space is required for recording Minutes of Actions by Local Board, Appeal Board, and on Appeal to the President.

SSS Form No. 100-a (Revised 10-11-41)

13

..... so in plain English:

I am opposed to all war.

I don't believe human beings should kill each other.

I am opposed to all violence.... for whatever reason.

I believe that wars will only end when men refuse to murder one another-for whatever reason.

I believe these things as a man and as a revolutionist.

For I believe wars will only end when the present murderous forms of society are allowed to die--- and all men are at last permitted to live together as brothers.

-- from An Astonished Eye
Looks out of the Air

-by Kenneth Patchen

I concur with the statements of Mr. Patchen that are listed above.

Forest Britt Peter
Portland May 22, 1957
Oregon

...TCE SYSTEM
...O "D"

[Fol. 50] KENNETH PATCHEN

I don't believe human beings should kill each other.
I am opposed to all violence... for whatever reason.
I believe that wars will only end when men refuse to murder one another-for whatever reason.
I believe these things as a man and as a revolutionist.
For I believe wars will only end when the present murderous forms of society are allowed to die--- and all men are at last permitted to live together as brothers.

-- from An Astonished Eye
Looks out of the Air
-by Kenneth Patchen

I concur with the statements of Mr. Patchen that are listed above.

Forest Britt Peter
Portland May 22, 1957
Oregon

SELECTIVE SERVICE SYSTEM
ALAMEDA COUNTY GROUP "D"
MAY 29 1957
Rm. 230, 1079 [illegible] Street
Hayward, California

[Fol. 501]
KENNETH PATCHEN AND HANDWRITTEN NOTATION

I would like to request a form that would state my classification as that of a Conscientious Objector. I object to war in any form.

Forest Britt Peter

SELECTIVE SERVICE SYSTEM
ALAMEDA COUNTY GROUP "D"

MAR 4 1950

Rm. 230, 1079 "B" Street
Hayward, California

17.

[fol. 51]

HANDWRITTEN REQUEST OF FOREST BRITT PETER FOR FORM

SELECTIVE SERVICE SYSTEM

Form approved.
Budget Bureau No. 33 R-118.2.

MAR 10. 1958

SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR

Selective Service No. 4 | 53 | 38 | 188

Date of Issuance March 4, 1958

Date received back at local board .....

LOCAL BOARD NO. 83
Alameda County

Rm. 230, 1079 "B" Street
Hayward, California
(LOCAL BOARD STAMP)

Name PETER, FORREST BRITT
(Last) (First) (Middle)

Address 928 Evergreen Ave,
(Number and street or R. F. D. route)

San Leandro, Ala., California
(City, town, or village) (County) (State)

This form must be returned on or before March 10, 1958
(Five days after date of mailing or issue)

INSTRUCTIONS

A registrant who claims to be a conscientious objector shall offer information in substantiation of his claim on this special form, which when filed shall become a part of his Classification Questionnaire (SSS Form No. 100).

The questions in Series II through V in this form are intended to obtain evidence of the genuineness of the claim made in Series I, and the answers given by the registrant shall be for the information of only the officials duly authorized under the regulations to examine them.

In the case of any registrant who claims to be a conscientious objector, the local board shall proceed in the prescribed manner to determine his proper classification. The procedure for appeal from a decision of the local board on a claim of conscientious objection is provided for in the Selective Service Regulations.

Failure by the registrant to file this special form on or before the date indicated above may be regarded as a waiver by the registrant of his claim as a conscientious objector; *Provided*, that the local board, in its discretion, and for good cause shown by the registrant, may grant a reasonable extension of time for filing this special form.

Series I—CLAIM FOR EXEMPTION

INSTRUCTIONS.—The registrant must sign his name to either statement A or statement B in this series but not to both of them. The registrant should strike out the statement in this series which he does not sign.

(A) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form. I, therefore, claim exemption from combatant training and service in the Armed Forces.

.....
(Signature of registrant)

(B) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form and I am further conscientiously opposed to participation in noncombatant training and service in the Armed Forces. I, therefore, claim exemption from both combatant and noncombatant training and service in the Armed Forces.

.....
(Signature of registrant)

Under the provisions of section 6 (j) of the Universal Military Training and Service Act, as amended, any person who claims exemption from combatant training and service in the Armed Forces of the United States because he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and such claim is sustained by the local board, shall, if he is inducted into the Armed Forces, be assigned to noncombatant service as defined by the President [illegible]

[fol. 52]

Selective Service No. 4 | 53 | 38 | 188

Date of mailing March 4, 1958

Date received back at local board .....

LOCAL BOARD NO. 83
Alameda County

Rm. 230, 1079 "B" Street
Hayward, California
(LOCAL BOARD STAMP)

Name PETER, FOREST BRITT
(Last) (First) (Middle)

Address 928 Evergreen Ave.,
(Number and street or R. F. D. route)

San Leandro, Ala., California
(City, town, or village) (County) (State)

This form must be returned on or before March 10, 1958
(Five days after date of mailing or issue)

INSTRUCTIONS

A registrant who claims to be a conscientious objector shall offer information in substantiation of his claim on this special form, which when filed shall become a part of his Classification Questionnaire (SSS Form No. 100).

The questions in Series II through V in this form are intended to obtain evidence of the genuineness of the claim made in Series I, and the answers given by the registrant shall be for the information of only the officials duly authorized under the regulations to examine them.

In the case of any registrant who claims to be a conscientious objector, the local board shall proceed in the prescribed manner to determine his proper classification. The procedure for appeal from a decision of the local board on a claim of conscientious objection is provided for in the Selective Service Regulations.

Failure by the registrant to file this special form on or before the date indicated above may be regarded as a waiver by the registrant of his claim as a conscientious objector; *Provided*, that the local board, in its discretion, and for good cause shown by the registrant, may grant a reasonable extension of time for filing this special form.

Series I.—CLAIM FOR EXEMPTION

INSTRUCTIONS.—The registrant must sign his name to either statement A or statement B in this series but not to both of them. The registrant should strike out the statement in this series which he does not sign.

(A) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form. I, therefore, claim exemption from combatant training and service in the Armed Forces.

_____
(Signature of registrant)

(B) I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form and I am further conscientiously opposed to participation in noncombatant training and service in the Armed Forces. I, therefore, claim exemption from both combatant and noncombatant training and service in the Armed Forces.

_____
(Signature of registrant)

Under the provisions of section 6 (j) of the Universal Military Training and Service Act, as amended, any person who claims exemption from combatant training and service in the Armed Forces of the United States because he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and such claim is sustained by the local board, shall, if he is inducted into the Armed Forces, be assigned to noncombatant service as defined by the President, or shall, if found to be conscientiously opposed to participation in such noncombatant service, in lieu of induction, be ordered by his local board, subject to regulations prescribed by the President, to perform for a period of twenty-four consecutive months such civilian work contributing to the maintenance of the national health, safety, or interest as the local board deems appropriate, and any such person who fails or neglects to obey such order of the local board shall be subject to imprisonment for not more than five years or a fine of not more than $10,000, or to both such fine and imprisonment.

Series II.—RELIGIOUS TRAINING AND BELIEFS

INSTRUCTIONS.—Every question in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Do you believe in a Supreme Being? Yes ☐ No ☐ It depends on the definition. see below

2. Describe the nature of your belief which is the basis of your claim made in Series I above, and state whether or not your belief in a Supreme Being involves duties which to you are superior to those arising from any human relation.

ANSWER ON A SEPERATE Sheet

SSS Form No. 150 (Revised 6-22-42). This replaces all previous issues. (1) 16—62256-6

18.1

[fol. 52]

25

LEILANI	LAFFLIN	WOODSTOCK MD.	19	52

4. Give the name and address of your parents and indicate whether they are living or not.

MR. CLYDE L. PELER 915 EVERGREEN AVE. SAN LEANDRO CALIF.
MRS. ROBERTA PELER 915 EVERGREEN AVE. SAN LEANDRO CALIF.

5 (a) State the religious denomination or sect of your father NONE

(b) State the religious denomination or sect of your mother NONE

Series IV.—PARTICIPATION IN ORGANIZATIONS

INSTRUCTIONS.—Questions 1, 2, and 3 in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Have you ever been a member of any military organization or establishment? If so, state the name and address of same and give reasons why you became a member.

NO

2. Are you a member of a religious sect or organization? NO (Yes or no) If your answer to question 2 is "yes," answer questions (a) through (e).

(a) State the name of the sect, and the name and location of its governing body or head if known to you.

(b) When, where, and how did you become a member of said sect or organization?

(c) State the name and location of the church, congregation, or meeting where you customarily attend.

(d) Give the name, title, and present address of the pastor or leader of such church, congregation, or meeting.

(e) Describe carefully the creed or official statements of said religious sect or organization in relation to participation in war.

3. Describe your relationships with and activities in all organizations with which you are or have been affiliated, other than military, political, or labor organizations.

None.

[fol. 55]

21

3. Explain how, when, and from whom or from what source you received the training and acquired the belief which is the basis of your claim made in Series I above.

Answer is on seperate sheet.

4. Give the name and present address of the individual upon whom you rely most for religious guidance.

There is no one at present on whom I rely for guidance

5. Under what circumstances, if any, do you believe in the use of force?

Answer is on seperate sheet

6. Describe the actions and behavior in your life which in your opinion most conspicuously demonstrate the consistency and depth of your religious convictions.

None enters my mind at the moment.

7. Have you ever given public expression, written or oral, to the views herein expressed as the basis for your claim made in Series I above? If so, specify when and where.

No.

[fol. 33]

Series III.—GENERAL BACKGROUND

INSTRUCTIONS.—Every question in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Give the name and address of each school and college which you have attended, together with the dates of your attendance; and state in each instance the type of school (church, military, commercial, etc.).

Name of School	Type of School	Location of School	Dates Attended	
			From—	To—
McKinley Elementary School	Public Elementary	San Leandro, Calif.	1946	1950
Bancroft Jr. High School	Elementary Sec.	San Leandro, California	1950	1953
San Leandro High School	Secondary Public	San Leandro, California	1953	1956
Reed College	Private	Portland, Oregon	1956	1958

2. Give a chronological list of all occupations, positions, jobs, or types of work, other than as a student in school or college, in which you have at any time been engaged, whether for monetary compensation or not, giving the facts indicated below with regard to

5. Under what circumstances, if any, do you believe in the use of force?

Answer is on seperate sheet

6. Describe the actions and behavior in your life which in your opinion most conspicuously demonstrate the consistency and depth of your religious convictions.

None enters my mind at the moment.

7. Have you ever given public expression, written or oral, to the views herein expressed as the basis for your claim made in Series I above? If so, specify when and where.

No.

[Fol. 53]

Series III.—GENERAL BACKGROUND

INSTRUCTIONS.—Every question in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Give the name and address of each school and college which you have attended, together with the dates of your attendance; and state in each instance the type of school (church, military, commercial, etc.).

Name of School	Type of School	Location of School	Dates Attended From—	Dates Attended To—
McKinley Elementary School	Public Elementary	San Leandro, Calif.	19 46	19 50
Bancroft Jr. High School	Elem. Junior Sec.	San Leandro California	19 50	19 53
San Leandro High School	Secondary Public	San Leandro California	19 53	19 56
Reed College	Private	Portland Oregon	19 56	19 58

2. Give a chronological list of all occupations, positions, jobs, or types of work, other than as a student in school or college, in which you have at any time been engaged, whether for monetary compensation or not, giving the facts indicated below with regard to each position or job held, or type of work in which engaged.

Type of Work	Name of Employer	Address of Employer	Period Worked From—	Period Worked To—
Odd jobs in a Shoe Store	MR. Rodman	14th Broadway Oakland	19 49	19 51
Marking and Posters	MR. Mills	San Leandro High	19 55	19 56
INVENTORY	SMILAS CLOTHIERS	12th and Grove	19 58	19 58
			19	19
			19	19

10—28831-1

19.

26

Series 11.--- Religious Training and Beliefs

2. Since human life is for me a final value, I consider it a violation of moral law to take human life. I think I have reached this conviction out of my reading of such writings as those of Blake (christian mystic), Emerson, Whitman, and more modern poets who have touched on the question.

I consider this belief to be superior to my obligation to the state.

In so far as this conviction is religious, it has been best described by Rev. John Haynes Holmes as follows: "Religion is the consciousness of some power manifest in nature which helps man in the ordering of his life in harmony with its demands...(it) is the supreme expression of human nature; it is man thinking his highest, feeling his deepest, and living his best."

3. I would say that the source of my conviction concerning the sacredness of human life and the human spirit has been my experience and study in our democratic american culture, with its values derived from the western religious and philosophical tradition. As I have indicated above, I feel that I have learned of the values of this tradition through personal reading and meditation rather than through experience in any organized groups.

4. The use of violence(physical force) compromises the ends one seeks in action. I consider war to be the greatest example of this. The use of non-violence in the freeing of India and the Mongomery bus strike is an example of the kind of force I do believe in.

[fol. 54]

3. Give all addresses and dates of residence where you have formerly lived.

Name of City, Town, or Village	State or Foreign Country	Street Address or R. F. D. Route	Dates of Residence From	To
THYLERSVILLE	CALIFORNIA	BOX 6		
Chico	CALIFORNIA		19 39	19 40
Little City	CALIFORNIA		19 [illegible]	19 42
ARBUCKLE	CALIFORNIA		19 42	19 42
HAYWARD	CALIFORNIA	1616 PARADISE Blvd.	19 42	19 46
SAN LEANDRO	CALIFORNIA	928 EVERGREEN AVE.	19 46	19 56
Portland	OREGON	Woodstock Blvd.	19 56	19 58

4. Give the name and address of your parents and indicate whether they are living or not.

MR. Clyde L. PETER 928 EVERGREEN AVE. SAN LEANDRO Calif.

MRS. ROBERTA PETER 928 EVERGREEN AVE. SAN LEANDRO Calif.

5 (a) State the religious denomination or sect of your father NONE

(b) State the religious denomination or sect of your mother NONE

Series IV.—PARTICIPATION IN ORGANIZATIONS

INSTRUCTIONS.—Questions 1, 2, and 3 in this series must be fully answered. If more space is necessary, attach extra sheets of paper to this page.

1. Have you ever been a member of any military organization or establishment? If so, state the name and address of same and give reasons why you became a member.

NO

2. Are you a member of a religious sect or organization? NO (Yes or no) If your answer to question 2 is "yes," answer questions (a) through (e).

(a) State the name of the sect, and the name and location of its governing body or head if known to you.

(b) When, where, and how did you become a member of said sect or organization?

(c) State the name and location of the church, congregation, or meeting where you customarily attend.

(d) Give the name, title, and present address of the pastor or leader of such church, congregation, or meeting.

(e) Describe carefully the creed or official statements of said religious sect or organization in relation to participation in war.

[illegible]

Series V.—REFERENCES

Give here the names and other information indicated concerning persons who could supply information as to the sincerity of your professed convictions against participation in war.

Name	Full Address	Occupation or Position	Relationship to You
Denny Wilcher	2619 Parker Berk. Col.	Student	acquaintance
Robert Brown	1514 Bruntsville Ave Oak.		friend

REGISTRANT'S CERTIFICATE

INSTRUCTIONS.—1. Every registrant claiming to be a conscientious objector shall make this certificate. 2. If the registrant cannot read, the questions and his answers thereto shall be read to him by the person who assists him in completing this questionnaire. 3. If the registrant is unable to sign his name he shall make his mark in the space provided for his signature in the presence of two persons who shall sign as witnesses.

NOTICE.—Imprisonment for not more than five years or a fine of not more than $10,000, or both such fine and imprisonment, is provided by law as a penalty for knowingly making or being a party to the making of any false statement or certificate regarding or bearing upon a classification. (Universal Military Training and Service Act, as amended).

I, Forest Britt Peter, certify that I am the registrant named and described in the foregoing statements in this questionnaire; that I have read (or have had read to me) the statements made by and about me, and that each and every such statement is true and complete to the best of my knowledge, information, and belief. The statements made by me in the foregoing are (are, are not) in my own handwriting.

Registrant sign here ☞ Forest Britt Peter
(Signature or mark of registrant)

Denny Wilcher
(Signature of witness to mark of registrant)

(Signature of witness to mark of registrant)

If another person has assisted the registrant in completing this questionnaire, such person shall sign the following statement:

I have assisted the registrant herein named in preparation of this questionnaire because

(For example registrant unable to read and write English, etc.)

(Signature of person who has assisted)

(Occupation of person who has assisted)

(Address of person who has assisted)

[fol. 56]

[fol. 61]

To: Local Board No. 53
Alameda County
Rm. 230 1079 B Street
Hayward, California

July 19, 1959

Dear Sirs,

I have been notified that as of the 13th day of July of this year my draft classification is "1-A". On the 10th day of March 1958 I applied through form 150 for civilian alternative service.

There seems to be a difference of opinion between you (Local Board #253) and I as to my draft status. I here by request a hearing through which I may state my beliefs and present new evidence and information concerning my claim as a consientious objector.

I will be in the bay area after the twenty fifth of this month.

Yours truly,

/s/ Forest Britt Peter

Forest Britt Peter
1819 Dwight Way
Berkeley, California

[Stamp—Hayward Local Board—Group "D"—Alameda County—JUL 21, 1959—Room 230, Broadway Building—Professional Center—1079 B. Street—Hayward, California]

[fol. 62]

SELECTIVE SERVICE SYSTEM

LOCAL BOARD NO. 53

Alameda County

JUL 23 1959

Room 230, Broadway Building
Professional Center, 1079 B Street
Hayward, California

(Local Board Stamp)

Forest Britt Peter
1819 Dwight Way
Berkeley, Calif.

SS No. 4-53-38-188

Dear Sir:

Your request for a personal appearance before your local board is acknowledged.

We have made an appointment for you to appear before your local board at the address given above at 7:15 p.m. on (Monday) Aug. 3, 1959.

Section 1624.2 (b) of the Selective Service Regulations provides that "At any such appearance, the registrant may discuss his classification, may point out the class or classes in which he thinks he should have been placed, and may direct attention to any information in his file which he believes the local board has overlooked or to which he believes it has not given sufficient weight. The registrant may present such further information as he believes will assist the local board in determining his proper classification. Such information shall be in writing, or, if oral, shall be summarized in writing by the registrant and, in either event, shall be placed in the registrant's file."

By Direction of the Local Board

/s/ J. Berry
Clerk

C-310 (27May58L)

[fol. 63]

[Stamp—Selective Service System—Alameda County Group "D"—AUG 3, 1959—Rm. 230, 1079 "B" Street—Hayward, California]

Local Board #[redacted]53
Hayward California

August 3, 1959

Dear Sirs,

I'm introducing three new pieces for my file that I hope will give you a better understanding of my position as a Conscientious Objector. An addition to Series 2 questions 1 and 2. An addition to Series III question 2 and this letter.

I have also asked several people to supply information as to the sincerity of my convictions against participation in war. These reference letters have not been completed. I'll send them in when I receive them and will appreciate your adding them to my file if an appeal becomes necessary.

My convictions will not allow me to participate in war or any military institution. As I understand the word religious, I think my stand has a religious basis.

I am willing to do civilian alternate service. I am also aware of the law regarding unrecognized conscientious objectors and am prepared to meet the consequences of maintaining my stand without official approval.

Yours truly,

/s/ Forest Britt Peter

[fol. 64] Series III—General Background

2. Give a chronological list of all occupations, positions, jobs, or types of work, other than as a student in school or college, in which you have at any time been engaged, whether for monetary compensation or not, giving the facts indicated below with regard to each position or job held, or type of work in which engaged.

Dates	*Type of work*	*Name of Employer*	*Emp. Address*
6/14/58–8/31/58	Postal Carrier	San Leandro Post Office	San Leandro Calif.
11/59	Photographer Ass.	Emil Pine	384 Diamond San Francisco
4/59–8/59	Full time volunteer	Acts For Peace	1730 Grove Berkeley
7/59	Shiprights Helper	Moore Dry Dock	Ft. of Adeline Oakland

[Stamp—Selective Service System—Alameda County Group "D"—AUG 3, 1959—Rm. 230. 1079 "B" Street—Hayward, California]

[fol. 65] August 3, 1959

The following is an addition to my answers of questions 1 and 2 Series 11 form 150 Selective Service System.

All real living is meeting
—Martin Buber

I have this God inside of me. To be truthful, I don't know if it's a long or short God or even a Superior God (much less a Supreme Being) and I have no idea what its sex is. I'm even worried about calling it God. After all a great deal of death has been done in the name of God.

This God, this God I have inside of me goes off every once in a while and opens me to the motions, to beauty and sadness in the universe. That is, now and again I feel the compulsion to meet the world around me. I'm filled with wonder, I'm possessed as it were, I feel so good I think I'm crazy. So my God isn't beyond me, it's within me and opens me to Godliness in the world.

I see an army over this world of wonder. Such stupidity and wasted energy. It's liable to kill us all.

/s/ Forest Britt Peter
8/3/59

[Stamp—Selective Service System—Alameda County Group "D"—AUG 3, 1959—Rm. 230, 1079 "B" Street—Hayward, California]

[fol. 66] August 3, 1959

PETER, Forest Britt 4-53-38-188

Registrant personally appeared with a Mr. Pickus of 1730 Grove—Berkeley, Calif. to help him in explaining his case.

Registrant stated he did not belong to any church or religion. He has been influenced by books he has read and has formed his own personal reasons for opposing war.

Mr. Pickus verified the fact that the registrant didn't have any religion but felt he was sincere in his belief and thought a Conscientious Objector could be granted without religion but because you were really opposed to war.

Registrant stated he would be willing to work in any hospital but felt he could not take part in the life of the army.

/s/ JEANETTE BERRY.
Clerk

[Stamp—Local Board No. 53—Alameda County—Rm. 230, 1079 "B" Street, Hayward, California]

[fol. 67]

Local board #53 Aug. 7, 1959
Hayward, Calif.

Dear Sirs,

Thank you for your time the other night at the hearing. I'm sorry you were unable to classify me as a Conscientious Objector.

The decision however, was not a surprise considering my lack of "proof" and your lack of moral courage.

I just hope the war that you support won't kill us all in the next few years.

To the future,

/s/ FOREST BRITT PETER

8/7/59

[Stamp—Hayward Local Board—Group "D"—Alameda County—AUG 10, 1959—Room 230, Broadway Building Professional Center—1079 B. Street—Hayward, California]

[fol. 73]

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

(Emblem)

Address Reply to the
Division Indicated
and Refer to Initials and Number

JUL 22 1960

Chairman, Appeal Board, Northern
District of California
Selective Service System
Room 540, Phelan Building
760 Market Street
San Francisco 2, California

Re: Forest Britt Peter
Conscientious Objector

Dear Sir:

As required by section 6(j) of the Universal Military Training and Service Act, as amended, an inquiry was made by the Department of Justice in the captioned matter and an opportunity to be heard on his claim for exemption as a conscientious objector was given to the registrant by Mr. Earl B. Wixcey, a Hearing Officer for the Department of Justice.

The information obtained from the inquiry and considered by the Department of Justice in arriving at its

[Stamp—California, Northern District Appeal Boards—JUL 29 1960—Room 540 Phelan Building, 760 Market Street, San Francisco 2, California.]

recommendation is contained in the Resumé of the Inquiry attached hereto and made a part hereof.

Registrant was born in Greenville, California on July 6, 1938. The registrant, as well as his parents, are not known to attend church or to have any religious affiliation. He graduated from high school in San Leandro, California in June 1956 and thereafter attended Reed College in Port-
[fol. 74] land, Oregon, withdrawing in February 1958 and ranking 176 in a class of 192. He took courses in the summer of 1957 at the University of California at Berkeley, receiving grades of B and C and he also attended San Francisco State College in the summer of 1958, receiving a failing grade. His SSS Form 100, received by his local board in May 1957, made no claim of conscientious objection. His SSS Form 150, received by his local board in March 1958, contained no signature to either Part (A) or (B) of Series I and in answer to Question 1 of Series II as to his belief in a Supreme Being, the registrant did not sign either the "yes" or the "no" box and wrote, "It depends upon the definition. See 2 below. Answer is on separate sheet." The separate sheet attached to the registrant's Form 150 stated that the registrant considered it a violation of moral law to take human life. His local board retained him in Class I-A after a personal appearance by registrant before it and he appealed.

Annexed hereto and made a part hereof are Exhibits A through F submitted to the Department of Justice on behalf of the registrant.

Registrant appeared before the Hearing Officer in San Francisco, California on February 29, 1960, accompanied by an advisor and two witnesses. The registrant acknowledged having received a copy of the resumé and stated that it was "clearly honest". Registrant's advisor criticized the resumé for apparent distortions, reporting style, and mistakes in dates. The registrant said he was unemployed at the time of the hearing but was looking for work. He told the Hearing Officer that he had no orthodox religious back-
[fol. 75] ground and that he had attempted to define what he thought was a religious position in the statement which

he made and which is attached to his SSS Form 150. The Hearing Officer asked the registrant whether he was about to found a new religion and the registrant answered, "No". The registrant indicated disagreement with his advisor over submitting in evidence the letter appearing as Exhibit D, hereto annexed, because the letter was said to have summarized the registrant's views but that the registrant submitted the letter for its value as a reference. The Hearing Officer reported that he told the registrant that belief in a Supreme Being was required and that at no time did the registrant suggest that he had a belief in a Supreme Being; that in answering the Hearing Officer's question, "Are you prayerful?" the registrant had stated, "No, I don't pray." The registrant took exception to the mention of the nude photographs in the resumé and stated that the pictures were works of art executed by a sister of his roommate and were not photographs but were paintings.

Registrant's witnesses, who wore beards, volunteered the thought that registrant's belief most nearly resembled Buddhism. Registrant's advisor told the Hearing Officer that he had been in the American Friends Service Committee for ten years. The Hearing Officer reported that the registrant's advisor spoke of the registrant's sincerity in glowing terms; that the Hearing Officer thereupon read the pertinent portions of the Act relating to religious training and belief and belief in a Supreme Being and that the registrant's advisor stated that he thought the registrant's position to be sufficient or was becoming sufficient in that respect.

The Hearing Officer reported that throughout the hearing the registrant was advised of the paucity of evidence of [fol. 76] substantial religious conviction and was invited to improve his claim and that in the opinion of the Hearing Officer the registrant did not do so. The Hearing Officer concluded that the registrant evidenced neither religious training and belief nor belief in a Supreme Being as defined in the Military Training and Service Act and the Hearing Officer recommended that the claim of the registrant, based upon grounds of conscientious objection, be not sustained.

The Department of Justice finds that the registrant's claim is not sustained. It, therefore, recommends that the registrant's claim be not sustained by your Board.

The Selective Service Cover Sheet in the above case is returned herewith.

Sincerely,

/s/ T. OSCAR SMITH

T. Oscar Smith
Chief, Conscientious-Objector Section

[fol. 77]

Resumé of the Inquiry

Re: Forest Britt Peter

Conscientious Objector

Registrant was born in Greenville, California on July 6, 1938. The registrant, as well as his parents, are not known to attend church or to have any religious affiliation.

The records of San Leandro High School, San Leandro, California show that the registrant attended there from September 1952 until his graduation in June 1956, ranking 179 in a class of 280. A teacher in this high school advised that the registrant had average ability and interest in the political science field; that he was strongly introverted and strongly independent in his thinking. He believed that the registrant is the type who would establish strict personal codes rather than identify himself with a group and that he would have the moral conviction to become a conscientious objector if he should establish a personal moral code to the effect that it was sinful to take human life. Another teacher in this high school advised that the registrant's family is one of extreme liberalism but on a practical basis, the registrant's father being a labor union official and that the registrant is perhaps a misdirected idealist; that the registrant is an independent thinker based on his own reading and experiences; that he is not of brilliant or superior intelligence but is the type of person who desires

to experience the field of ideas and is interested in the fields of art and classical music; that the registrant has come to the unshakable opinion that the leaders of the world, including the United States, are pursuing a part of folly and that something will be done which will exterminate the human race. He believed the registrant formed his own personal conception so that he could not conscientiously participate in military service as an implement of present day policy. In recent conversations the instructor had noticed that the registrant had become more adamant in his position but that his reasons have become confused and that the registrant finds it difficult to put his position in words. He advised that the registrant moved from his [fol. 78] home for about eight months in 1958 and lived with some "beatniks" in San Francisco in pursuit of development of his interest in art, music, and literature and that the beatniks are a notorious, unorganized group in San Francisco who live a Bohemian existence and are unique in dress and living habits; that the registrant has shared a flat with four or five others but became disgusted with the sexual deviates, alcoholics, and moral degenerates who were part of that group and he moved to Berkeley, California where he became part of a group known as "Acts for Peace". He believed registrant's claim to be based entirely upon his moral decision. The records of Reed College, Portland, Oregon show that the registrant attended there from September 1956 until his withdrawal in February 1958, ranking 176 in a class of 192 in his first year; that he took courses in art, biology, German, humanities, politics, and physical education and was a prospective major in politics and history; that he was the subject of faculty action on deficiency in scholarship on several occasions, roomed on the campus and received no credit for attendance at the 1957-1958 school year. An official of the college advised that the registrant had caused no trouble and was of good character and would be in good faith in any claim that he made. The records of the University of California at Berkeley show that the registrant, during the summer of 1957, took courses in Eighteenth Century French Literature and Greek Tragedy in which he received grades of B and C respectively. The records of San Francisco

State College show that the registrant had registered there in the summer of 1958 taking courses in Elementary French as an auditor and a History Survey of Jazz course in which he received a grade of F and that he discontinued attending college.

A representative of a civic organization in San Leandro advised that the registrant had worked for that organization distributing posters and advertising to local merchants from time to time during a two-year period from 1955 to 1956 requiring eight to ten hours' work on each occasion; that he had never discussed personal beliefs with the registrant but believed him to be an outstanding, independent thinker and believed he would challenge established doctrine on the basis of his own decision. A representative of the post office in San Leandro advised that the registrant had worked there as a substitute mail carrier from June to [fol. 79] August 1958 and had later had similar employment at Berkeley, California; that he was quiet, shy, and reticent but was efficient, industrious, and apparently of superior intelligence in the dispatch of his duties. The records of the American Building and Maintenance Company at Oakland, California show that the registrant worked there from August 29, 1958 until October 3, 1958 when he quit to accept a position with the United States Post Office. A supervisor of the registrant in this job advised that the registrant was employed as a hall man and was the only maintenance man in the building over week ends and discharged his duties faithfully and dependably. He believed registrant to be of good character. A photographer in San Francisco advised that the registrant had worked for him during October and November 1958 and was satisfactory and reliable and was released when business fell off; that he found registrant to be a serious-minded youth attending college and taking a minimum course. The records of a drydock company at Oakland show that the registrant worked there as a carpenter's helper from June 22 to July 10 and that his file contained no unfavorable information. The records of the post office at Berkeley show that the registrant worked there as a substitute mail carrier from October 12 to November 4, 1957; that he had filed an application form in which he had answered, "No", to Questions 16

and 17 on the form as to whether he had ever been a Communist or a member of a Fascist organization and in space 24 of the form for detailed answers to the above questions, he had written as to Questions 16 and 17, "Nor am I a Democrat or Republican"; that his file contained a statement of resignation stating, "I do not want to drive mail trucks. I misunderstood the duties of a substitute carrier but the above is a matter of conviction with me and therefore I offer my resignation." A post office official advised that the registrant had been asked to drive a mail truck and had refused and was therefore asked to resign; that on the initial interview the registrant had been advised that part of the duties of a substitute carrier would be the driving of mail trucks in the collection of mail from various points in the city and he did not recall the registrant's voicing any opinion of opposition to driving mail trucks. A supervisor of the registrant advised that the registrant did not mingle with the other employees but was a good worker and quick to learn the details of his job; that the driving of a truck by the registrant was delayed to afford the regis- [fol. 80] trant the opportunity of getting a driver's license; that he had contacted the registrant on November 23, 1959 and told him that he was scheduled to drive a truck that evening and that the registrant had stated that he had a valid driver's license but that he did not want to drive a truck because he had two or three good friends who had been seriously injured in auto accidents and that he understood that the registrant resigned the following day.

A neighbor at San Leandro advised that she had been acquainted with the registrant's family for several years and that the parents are average individuals who participate in the neighborhood group as do other residents but that the registrant is unlike his parents; that he is an introvert, an intellectual type who spends his time reading "heavy" literature and listening to ultra-classical music; that he is not mentally or emotionally unstable but is different in tastes and habits from the normal individual; that his parents have been most disappointed in the registrant's decision to claim conscientious objection; that neither the registrant nor his family attend church at least on a regular basis and she knew of no religious affiliation on their

part. She believed that the registrant's conscientious objection is apparently based upon his own thinking. Another neighbor in San Leandro advised that her children gather discarded paper and magazines from the neighbors and that she has noticed copies of a magazine called "Playtime" which features nude photos which she considers objectionable and which she hides from her children. She believed registrant should perform military service the same as any other qualified person. Another neighbor advised that the registrant exhibited no interest in sports or physical activities and had no girl friends and in conversations which her son has had with the registrant she had noted that the registrant had no enthusiasm for military service and she believed the registrant is the type of person who would not adjust to the close associations with other individuals found in military life. A landlady in San Francisco advised that the registrant and another had rented an apartment from her from October to the end of December 1956; that the registrant and his friend maintained the partment in a constant filthy condition, played their record player loudly at night and she did not like the nude photographs of [fol. 81] females on the walls and told the registrant that "beatniks" were not welcome in the apartment but that people visited there who appeared to her to be "beatniks"; that the registrant himself wore a beard, appeared unwashed, unkempt, and filthy and was very likely a beatnik himself. She advised that she had observed no homosexual indications on the part of the registrant but that he appeared to be lazy and work when and where he pleased and did not go to class because he told her that he disagreed with the academic hierarchy involved in formal classroom education; that he attempted to appear intellectual and to give the impression of knowing a lot about philosophy, heavy literature, and music. She believed it likely that he is trying to avoid military service and is using the conscientious-objector claim for that purpose. An associate of the registrant, named as a reference who objected to having been named as such and stated that the registrant did not have his permission to use him as a reference, advised that he had helped the registrant fill out his conscientious-objector form and stated that he had served a prison term as a

result of his claiming conscientious objection during World War II; that as a result today he is an "anarchist-pacifist" and does not believe in the numerous investigations being conducted by the United States and that he would willingly discuss matters with the registrant's local board but not with a representative of an investigative agency. An associate of the registrant at San Leandro advised that he was well-acquainted with the registrant but that the registrant found it impossible to make close friends with anyone; that the registrant is intelligent and well regarded but has no desire to direct his intellect into normal channels; that he quits jobs without apparent reason and that he quit Reed College after two years for no apparent reason; that he is strong in his beliefs and is almost always in disagreement with the majority opinion on any controversial issue; that he has discussed military service with the registrant and that the registrant had made only casual comments and he could not decide whether the registrant is simply trying to evade military service or objecting to it on a moral basis. He advised that the registrant had no formal church or religious affiliation.

A reference who is a close friend of the registrant at the University of California advised that the registrant found high school dull and unchallenging and spent most of his [fol. 82] time studying the violin and taking only essential courses; that he entered college through a college board examination which speaks for his basic knowledge; that he is not conventional in his habits but is not dangerous to society; that he does not drink, has no organizational affiliations, and the writers that have influenced him most are William Blake, poet; D. H. Lawrence, novelist; and Martin Buber, Jewish theologian; that after terminating his education in Reed College he spent most of his time reading things concerning Oriental religion, including Chinese and Indian philosophy and has become familiar with writers like Alan Watts, a former Anglican minister who presents a half hour program over a radio station at Berkeley; that the registrant has no church affiliation but is neither atheistic nor agnostic and the trend of his thinking is towards mystical writings, mystical in the sense that they are not philosophical. The word "philosophical" would imply that

there is a desire to explain everything. The reference believed that the basis of calling the registrant's stand religious is that life is a mystery and cannot be explained; that this is a mystical trend and the writers who have influenced the registrant are mystical; that his discussions with the registrant have revealed that the registrant believes that the whole scheme of things which would make killing a justifiable and meaningful act is wrong and that the registrant is firm and sincere in his convictions. The Executive Secretary of "Acts for Peace" advised in November 1959 that he had known the registrant for several months and that the registrant had been employed on a full-time basis from April to August 1959 and on a part-time basis from August to the date of the interview; that he had accompanied the registrant at the time of the registrant's appearance before the local board and had discussed military service with him at considerable length and believed him to be sincere in his claim; that as nearly as he can determine the registrant's feelings developed during the past two or three years and do not come from any orthodox religious training or denomination or belief but from an inner conscience which is opposed to the "organizing to destroy"; that the registrant did not call this conception "God" but that he considered the registrant to be a religious person within the broad meaning of the term; that [fol. 83] he considers the registrant immature and that "he has not found himself yet" but fully understands the consequences of maintaining his claim; that he is of high personal integrity and honesty; that he is a poet, very alive to the beauties of nature and very responsive to them; that he has observed nothing homosexual on the part of the registrant; that he regards him as somewhat of an enigma but that he is sincere in his conscientious-objector claim.

Credit and criminal records were negative.

Prepared: February 4, 1960

[fol. 84]

THE WALDEN FOUNDATION

a non-profit educational corporation

2619 Parker Street THornwall 3-1532

Berkeley 4, California

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Ida Wilcher
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Lee McRae
Audrey Goodfriend
David Koven
Stan Gould
Mary Lou Gould
Barbara Stevens

Feb. 27, 1960

Hearing Officer
U.S. Dept. of Justice
Post Office Bldg.
San Francisco, Calif.

Dear Sir:

I would like to submit this statement in reference to the hearing for Mr. Britt Peter, who is appealing his Selective Service classification.

My personal acquaintance with Mr. Peter goes back over two years, when he sought me out because of my wide knowledge of objectors and their problems. I was a conscientious objector in World War 2, and have worked with several organizations primarily concerned with their status.

Mr. Peter informed me in our first meeting that he had decided that he could not accept military service, and in many meetings since we have discussed this position in such fashion that I have a complete sense of the sincerity and depth with which it is held.

I am particularly concerned to attest to the sincerity of Mr. Peter in seeking objector status. He has demonstrated

his conviction convincingly in the past two years in both statement and volunteer work in the cause of peace. I have known hundreds of objectors in camps, prison and civilian life, and the most convinced usually devote time in this manner to the peace cause.

As to the nature of the conviction held in this instance, I wish to point out that it is rooted in that ethical sense which the best thinkers of all periods have identified as related to a religious sense. In fact, many religious leaders and writers have insisted this sense is of the very nature of religion. I would like to point out further that Mr. Peter acquired this conviction growing up in a culture which has its roots in the ethical traditions of Christianity and Judaism, and that the teachings of these traditions, at best, indicate a reverence for human life which can easily lead to a rejection of killing under and possible circumstances. I would also like to note that all other great world religious traditions advocate precepts of the same nature.

Yours truly,

/s/ Denny Wilcher

Denny Wilcher, Chairman,
Walden Found. Inc.

Advisory Council:

Frank N. Freeman, Dean *emeritus,* School of Education, University of California; John Way and Alice Way, Co-Directors, Pacific Ackworth Friends School; Mark Luca, Instructor in Art Education, University of California; Lawrence Speiser, Speiser and Williams, Attorneys *legal.*

[fol. 85]

K. Rexroth
250 Scott St. SF CAL

KPFA (FM)

94.1 MC, Channel 231
Phone: THornwall 8-6767

2207 Shattuck Avenue
Berkeley 4, California

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Hearing Officer

Selective Service

Dear Sir,

In the past few weeks I have had several interviews with Mr. Britt Peter about his pending appeal to you as a conscientious objector. He has impressed me with the firmness and soundness of his convictions. I come from a family originally Schwenckfelders, a strict pacificist sect somewhat like the Mennonites or Amish, although I am certainly not one. I have had considerable experience down the years with Friends, Brethern, and similar groups, and with the small group of Catholic COs. I was, during the Second World War, one of the three local secretaries of the Fellowship of Reconciliation. During those years I was also on a national board to advice COs who had specially difficult problems. I was myself classified 4E although I was in fact too old to be drafted. This is just to state my only qualifications as a judge of the sincerity of an appellant, not to boast.

I believe that Britt Peter is a conscientious objector in the strictest sense of the word. I believe that his opinions are due to religious conviction within the meaning and intention of Selective Service regulations. It is true that he does not attend regularly any church, let alone one of the historic "Peace Churches." But then, neither did the founders of these very churches attend any then existing church regularly, and neither did the founders of most of the

world's religions. We live today in a world in which most religion is personally arrived at and held, as any clergyman can tell you. This is especially true of persons whose religion involves objection to war—although their founders condemned war, Buddhists, Friends, even Brethern and Mennonites in fact in many cases support war—and this is liable to alienate young men who have arrived at their convictions through personal struggle and meditation. I am myself an Episcopalian, but I am under no delusions that my church as a body opposes war.

There is no question in my mind of Britt Peter's sincerity. Nobody in his senses is going to try to avoid service in the army in this difficult way today. A young man has everything to gain from going into the army—travel, education, all sorts of advantages after his discharge. By claiming conscientious objection he only makes a great deal of trouble for himself, submits himself to terrific nervous strain, and, of course stands a good chance of being sent to jail.

I have had a great deal of experience dealing with young men in exactly Britt Peter's position at this moment and I have a pretty sharp eye for those that are just out "to beat the draft." He seems thoroly convinced, and certainly more religious in any meaning of the word than a very large percentage of people who attend church regularly.

faithfully

/s/ Kenneth Rexroth

Kenneth Rexroth

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[fol. 86]

Mr. Earl Wixsey, Special Hearing Officer for the Department of Justice

Dear Mr. Wixsey:

The resume of the inquiry re: Forest Britt Peter, Conscientious Objector, has recently been read by me, and, as a contributor to this resume, I am particularly disturbed by the inaccuracy of the reporting. The statement that I made, as it now stands, is almost completely unrecognizable. It is distorted, inaccurate, biased, slanted—in short, it is almost a classic example of the kind of writing we as English teachers would never allow in high school. Let me be specific: The most important statement I made, a statement I repeated *many, many* times, that Brit Peter is above all else completely sincere in this decision *never* once appears in this resume. The fact that Brit came out of a thoughtful, liberal home, a home of ideas, is reported, "the registrant's family is one of extreme liberalism." This is a distortion and it is the kind of thing found throughout this resume. It is claimed that I described the "beatniks" as a "notorious, unorganized group in San Francisco . . . " and that Brit became disgusted with the "sexual deviates, alcoholics, and moral degenerates who were part of that group . . . " This again is not an accurate report of what I said; I do not think of these people as "notorious" or that they are deviates, etc.

I was, at the time of the interview, very frank, very cooperative, and very honest with the agent, but never again will I make so free a statement unless I have the assurance that I will be allowed to sign my statement and say, "Yes, that's what I said."

Yours truly,

/s/ James R. Gray

James R. Gray
Chairman, English Department
San Leandro High School

[fol. 87]

Dear Brit—

You have convinced me that you are sincere and I cannot imagine anyone questioning you on that, or that the consequences of not being believed are so drastic.

Certainly yr behavior since I've known you is consistent with yr beliefs, moreover, they will probably conflict with the service's and cause you harm.

I know yr position to be personal, not supported by an orthodox religion, but as sincere; I join you as witness to yr convictions on this matter and say they are yr orthodox religion.

Evidently one must have supporting him, and his real convictions, an organized and establisht and 'approved' religion. To be acting individually on what one is positive is right is questionable and it seems these days considered *wrong*. There isn't much else he can do but collect signatures and support frm 'unapproved' sources. Which you are doing damn it to prove of all things you are sincere.

Searching for a common wd to cal yrself you'd call yrself mystical, you'd call yr thot, yr feeling, mysticism—which itself is not susceptible to an exact definition. Such a wd will scare the hell out of yr judges (it is a marriage of [fol. 88] philosophic and religious thot, supremely individual and personal)—I hope to God they think you too crazy to serve with the boys, too crazy to shoot straight or in the correct direction.

I see this is a hearing and not a trial you're having.

Sincerely—

/s/ Ebbe

Ebbe Borregaard
1711 Buchannan
SFrancisco 15

[fol. 89]

Feb. 29, 1960.

To Whom it May Concern;

This is to assert that my wife and I have had an extended discussion with Britt Peter, and that he is clearly not a Christian Conscientious Objector, nor does he claim to be one. But we do believe that he is sincere in his stand as a conscientious objector. We do not agree with this stand, but we do not want it to appear, from a casual remark, that we doubt his sincerity.

Signed;

/s/ Mr. Horace Duncan

/s/ Mrs. Gertrude Duncan

[fol. 91]

The following are additions to questions, #4, #6 and #7 series II of form 150. I'm introducing this new material into my file in the hope that you'll come to a better understanding of my position as a Conscientious Objector.

Question #4 Series II:

Give the name and present address of the individual upon whom you rely most for religious guidance.

I have met many men who have touched my life. Some were religious others were not. Most are far away now and if I ever gave my life over to them for guidance, it was only for a moment and then we each went our own way through the world.

Hugh slept and worked at the Catholic Worker in New York City. He slept on a table, with a telephone book for a pillow. Hugh handed out hot meals to other Bowery characters who came into the building to be fed and he preyed a great deal.

From him I saw that to be religious is to give. Not just give material things like a plate of hot food (although this is very important), but to give yourself over to the activity

in which you believe. To be responsible for your actions in the world.

"The religious man is not freed from responsibility he has exchanged the torment of the finite, pursuit of effects for the motive power of the infinite, he has got the mighty responsibility of love for the whole untraceable world-event for the profound belonging to the world before the face of God. He has to be sure, abolished moral judgements forever; the evil man is simply one who is commended to him for greater responsibility, one more needy of love, but he will have to practise, till death, itself, decision in the depths of spontaneity, unruffled decision, made ever anew, the right action. Then action is not empty, but purposive, enjoined, [fol. 92] needed part of creation; but this action is no longer imposed upon the world, it grows on it as if it were non-action."

—Martin Buber

Like Buber I believe the works of the "religious man" are organic, very much of this world. I receive guidance from many people and things in this world.

All My life
Brought me here NOW
Every event
Yes, thinskin even
The mistakes.

Question #6 Series II:

Describe the actions and behavior in your life which in your opinion most cospicuosly demonstrates the consistency and depth of your religious convictions.

That is for other people to say of me. I know only that at times I fell as if I were "playing in the world" that part of this realization is a knowledge of the wastefulness of physical violence (the state's continual mobilization for war). I can't handle what religious convictions I have as if they were a commodity like a gun or the star on a general's shoulder. There would be something very cold blooded about listing the actions in my life that were religious in

nature. Let others speak of any "acts of mercy" I may have performed.

Question #7 Series II

Have you ever given public expression, written or oral, to the views herein expressed as the basis for your claim made in Series I above? If so, specify when and where.

In college I often had discussions with my fellow students on the topic of war and conscientious objection. During [fol. 93] these talks I brought in the views herein expressed. Some of the people I talked to were Darrell Woodman, Fred Petersen, Irv Williams, Jake Stern, and Chris Hulse. Chris Hulse and I often took long walks in the night, talking about everything under the sun and we both agreed time and again that the military institution and war were colossal follies. That no cause could justify the slaughter and tremendous expenditure envolved in maintaining or using an army. We also spoke; said nothing, wondered at the beauties of the night.

For about four months last year I worked as a full time volunteer at Acts For Peace. As a result of my association there I talked to many people about conscietious objection. Some of those I've had discussions with are Robert Pickus Denny Wilcher, John Martinson (a C.O.), Mott Cannon, Sara Pickus, Rob Harding, Rog Moss, Cynthia Duffield, Robert Brown, and John Little.

I've participated in several poster marches in San Francisco and New York calling for the abolishment of the use of nucular weapons.

Also some people hearing of my claim for Conscientious Objector classification have become very interested in the issue and I've tryed to explain to them both the mechanics of the law in cases like mine (as I experience them) and also the basis of my claim. Some of these people are James Gray a school teacher, Jack Hillis a school teacher, Doug Peter a relative of mine who is in the army, Ebba Borraguarde a poet in San Francisco and Kenneth Rexroth a poet, artist and critic.

Most written statements are in this file. Although I did put together an anthology of Peace Poetry for Acts for [fol. 94] Peace and am a contributing editor for the publication *Utopian Papers*.

Finally there are the ever present talks with myself on the subject of Conscientious Objection, war, the make up of the "religious man", what I see in the world etc. The continuous distellation of experience that brings to an attitude the heart of conviction.

/s/ FOREST BRITT PETER

Feb. 29, 1960

[fol. 95]

July 29, 1960

Forest B. Peter
1730 Grove Street
Berkeley, California

SS No. 4 53 38 188

Dear Sir:

Your case, which involves a claim of conscientious objection, is to be reviewed by this Appeal Board at its next regular meeting.

In accordance with the provisions of Section 6(j) of the Universal Military Training and Service Act, as amended, your file was forwarded to the United States Department of Justice for inquiry and hearing. The Department of Justice having completed its inquiry and hearing has submitted to this Appeal Board its report and recommendation which is being made a part of your Selective Service file.

A copy of this recommendation is attached hereto for your information. You may, within thirty (30) days of the date of the mailing of this letter, file with this office a written reply to the recommendation of the Department of Justice. Your reply will be made a part of your file and

will be considered by this Appeal Board in disposing of your case.

NORTHERN CALIFORNIA APPEAL BOARD,

By .....
Appeal Board Clerk

Enc.

[fol. 96]

[Stamp—California, Northern District Appeal Boards—AUG 29 1960—Room 540 Phelan Building, 760 Market Street, San Francisco 2, California]

Aug 6—1960

Sirs.

I wish the following included in my file as a Conscientious Objector

1. Letter from John Doe
2. Statement on the Anaversery of Hiroshima attack
3. Comments on Hearing Officers report
4. And the further statement of the religious motivation of my objection

The letter signed John Doe comes from a friend of mine in San Francisco. When hearing about my objection and this current encounter with the appeals, board he wanted to do something to aid me. The result is his letter. As well as being a beautiful statement of his own beliefs I think it also throws light on the psychology of my own objection. I am in more than partial agreement with what he says and wish the statement included in my file.

Thank you,

/s/ FOREST BRITT PETER

[fol. 97] August 6, 1960

Sirs:

One of the most difficult things anyone can do is to specify precisely what his religious convictions are, especially if one does not identify with a tangible religious group involving rites or meetings.

I believe no one has a right to force another; I don't understand why one would have the desire.

If one claims to be a conscientious objector, he is either a conscientious objector or a coward or an anarchist.

As to cowardice

It has been written, "Great Mars no longer attends these wars."

It is not a question of pride; it is a question of pride.

As to anarchy

it misses the point.

I believe in this country. Primarily in a poetic way: a meeting of all races. I believe in America as a thing that happened when men began to outgrow those subdivisions and saw his responsibility was to mankind.

I also believe in this country among the others; I believe that here is where the life is. I believe in its government. Though its history is dirty, as is the history of other countries, as is the history of man, I believe in the ultimate rightness of America, I believe in the ultimate rightness of man—for this reason I recoil from the idea of involving myself with any military procedure these days when man has come so near to arranging his suicide. The horror of this state of affairs is that I am in noway in agreement with this motivation, that it is not understandable to me, that, in my own eyes it is a terrible absurdity. This implies I feel there is a misplacement of power. But I leave it for you to perceive this is not a profession of anarchism. I am only sorry that being but an individual my action in the negative will be of little influence, whereas an individual supporting these procedures could be of extreme consequence.

Patriotism may prove guise enough for another to justify killing, but not for me. Self defense is the justification, even to an offender, but the situation is one contrived: false to a few, the pleasure of some, the cause and perhaps responsibility of others (though in this case I cannot believe the latter); and there is guilt in allowing oneself to be swept into the contrivance.

I don't explain my or Britt Peter's religion, but make it apparent by telling my stance; as anyone's religion is not what they say it is, but is seen in their dealings with us.

My very constitution would rebel from killing a man in such circumstances. I could not help but realize my enemy is not this man but those who forced me there.

Your cause is yours
cause for anger?
cause for reflection?
cause for genuflection?
cause for poetry?
cause you would oppose?

I am as godless as the gods.
My cause is theirs.
I am not conscientious, that is for Britt Peter to be;
I am conscious.

. . . John Doe

[fol. 98]

Aug. 6—1960

II

Dear Sirs,

15 years ago today the United States droped an Atomic Bomb on the Japanese city of Hiroshima. If any victory was gained, it is not celebrated as a holiday on this date.

Instead men the world over pause and consider the justification of war and the consequence of that act.

My mind does not dwell on the mutilation of that cities people. I do though, damn the logic of a State that could find justice in such an act distruction.

III

I'm going to do two things in this letter. 1—State my disaprovel of the hearing officer's report and 2—once again define the nature of my objection to (and participation in) any military institution.

The report reads like a surrealist night mare. Who ever wrote it jumps from point to point as if there were no [fol. 99] context at all to work from. Even so I see certain themes coming out that were in the resumé of my F.B.I. inquiry. I mean your continued attempts to discredit my sencerity.

In the F.B.I. resumé the possibility of homosexuality on my part was brought up at least three times. And in this hearing officer's report there is a placing of importance on a piece of information that has even less to do with my objection than the aforementioned inquiry into my sexual tastes. I refer to the nude paintings on the wall at a room I occupied in San Francisco some three years ago. This reference appears without preface between two paragraphs reguarding my religious conviction, in the hearing report. Perhaps if I had hung a foreign nations flag or a photograph of Dr. Schweitzer on this wall, you would be justified in raising your eye brows. But I can't understand why the hearing officer's report should waste time mention- [fol. 100] ing anything as irrelevent to the State as the portrayal of the human figure, unless ~~the~~ he (the hearing officer) took some perverse delight in returning to the subject or (which seems more likely,) wished to discredit my sencerity.

It is also mentioned in the hearing officer's report that one of the witnesses wore a beard. This is true, but so what? May I remind the members of the appeal board that both Jesus Christ and Abraham Lincoln wore beards; men who I think you would accept ~~as~~ at this late date, as credible witnesses.

I feel cheapened in bringing these points up again and wouldn't if I hadn't been provoked by the attempts of the hearing officer's report to once again caste doubts as to

my sencerity. After he (Mr. Wixey) had asured me at the hearing, that I had extablished a very sound case as to my sencerity. He considered this of prime importance along with the extablishment of my religious conviction, in [fol. 101] deciding the merits of one's objection.

I find these attacks on my personal character distasteful not because they are damaging but because they are done under the guise of legality and/or sanctity.

I would think that after all the trouble the F.B.I and the Hearing Officer have gone to in casting such doubts on my intellectual, moral, and sexual character, that you, the members of the appeals board would begin to have doubts also, as to my ability to fit the role of good ~~soldied~~ soldier.

There are other distortions in the hearing officer's report as well. For one thing I cannot remember saying that the F.B.I. resumé was 'clearly honest'. As a matter of fact the objections to the F.B.I. resumé credited to my advisor Mr. Pickus, were made by me before Mr. Pickus arrived at the hearing.

[fol. 102] My main objection however, is to what the report leaves out. It is not at all clear in my mind if this is the Hearing Officer's report itself or merely a summary. I have no way of knowing since I do not have access to my file. If it is a summary I should like to see the actual report.

The report leaves the impression that it is an account of the events of the hearing. If it ~~it~~ is, it leaves an awful lot out. I would like to mention some of the omisions.

The hearing lasted about two hours and the discussion was not as cursury as the report would lead you to believe. Most of the time was devoted to a discussion regnarding the nature of my religious conviction.

In the report given me there is no accounting of any testimony I gave in an attempt to define my position, save the six points of evidence labeled A through F which were not printed or refered to thereafter in the report I received.

[fol. 103] Nor does the report list the reasons given by my advisor Mr. Pickus for his belief that my objection

"was sufficient under the government's definition of religious conviction."

I think that this evidence demands your consideration. Particulary that of my advisor if it survives anywhere in the writen word. If the hearing officer failed to record Mr. Pickus' statement, I think it a shocking omision and begin to wonder at the actual reason for the hearing.

I will now go into (once again) the nature of my religious conviction and how it relates to my objection.

IV

I have never directly answered 'yes' or 'no' to your question "Do you believe in a Supreme Being" because I do not know what you mean by the phrase. Any theologian would also wonder as to your meaning. And perhaps also [fol. 104] wonder at the wisdom of ~~legaling~~ legally defining the essence and existence of a God.

I have tryed however to give a picture of my own 'religiousness' and show how it motivates my objection.

I can't honestly say 'a Supreme Being directs creation, I DON'T KNOW. However, I'm moved by many of the elements in the world—in creation.

You might say I believe in them. I believe in these elements because they are there. I think this process—call it belief if you like—is different than simply knowing as if love or a knowledge of God were just facts. Looking into the world I find solace or pain but no answers; A voice that says made in heaven by the Supreme Being as defined by the United States Government is not there, but space is; Room for limitless understanding and contern.

Or:

[fol. 105] We say, that a tree is beautiful. But why? Because the tree moves us. The branches, the leaves, the very form of the tree, the forces it exemplifies. I do not choose to name this tree God as if that would explain its reason or essense. This is a very distinctive tree and deserves a new name and a reverence that is open to the endless

number of things the tree tells us—of form, life and death, of ourselves; our own existence.

I don't think this is lack of belief. I'm upheld by creation, finding ease as well as pain there.

THERE'S NO FALLING OUT
OF THIS WORLD
OF LONG GRASS
AND BASS NOTES
THINSKIN, DON'T HOLD
ON SO.

I believe in elements of this creation like star or animal [fol. 106] motion. And I'd work toward an understanding with them called living relationship or form of love.

This is the conscious effort of my life and I have already suffered some reguarding it. The energy involved is considerable but I do not think it wasted, like that given to an Army or a selfish love. Nor do I know how wise I am in my devotion.

I say this for myself as much as for you. Through past experience I doubt your comprehension. I have a feeling that I'm trying to tell truth to a cigerette machine or standing in the path of a steam-roller. One that lacks understanding.

I say what I do in the face of consequence. And do not use the words or angle the government has given me, out of choice. The words must be my own or the thought is yours. It has always been my motive to *show* my objection not *prove* it for the reward offered legal objectors. My objection is not dependent on your approval, I live by it. [fol. 107] I could not live another way as in an army. There is a disinterest on my part in that groups activities (as my friend said: it is a question of pride.) nor ~~could I give mu~~ could I contribute to an institution that has the power to destroy all I do believe in

Yours truly,

/s/ FOREST BRITT PETER

[fol. 115] Forest Britt Peter
Aug. 15, 1961

Dear Sirs,

I will not appear for my Armed Forces Physical Examination August 30th, In accordance with my previously stated views and beliefs as a conscientious objector.

Yours,

/s/ Forest Britt Peter

Forest Britt Peter

[Stamp—Hayward Local Board—Group "D"—Alameda Coun—AUG 17 1961—Room 230, Broadway Building, Professional Center—1079 B. Street, Hayward, California]

[fol. 116] August 15, 1961

Dear Sirs,

". . . . so in plain English:

I am opposed to all war.

I don't believe human beings should kill each other

I am opposed to all violence . . . for whatever reason

I believe that wars will only end when men refuse to murder one another for whatever reason

I believe these things as a man and as a revolutionist

For I believe wars will only end when the present murderous forms of society are allowed to die . . . and all men are at last permitted to live together as brothers."

—from an Astonished Eye

I concure with the statements of Mr. Patchen that are listed above.

May 27, 1957

Once again,

/s/ Forest Britt Peter

[Stamp—Hayward Local Board—Group "D"—Alameda Coun—AUG 17 1961—Room 230, Broadway Building, Professional Center—1079 B. Street, Hayward, California]

SELECTIVE SERVICE SYSTEM

Approval Not Required.

ORDER TO REPORT FOR ARMED FORCES PHYSICAL EXAMINATION

LOCAL BOARD NO. 53
1079 "B" St., Rm 2?
Hayward, Californ

(Local Board Stamp)

To

Forest Britt Peter
1730 Grove St.
Berkeley, Calif.

July 20, 1961
(Date of mailing)

SELECTIVE SERVICE NO.			
4	53	38	188

You are hereby directed to present yourself for Armed Forces Physical Examination to the Local Board named above by reporting at:

Local Board No. 53 1079 B St. Room 230 Hayward, California
(Place of reporting)

at 6:45 a. m., on the 30th (Day) of (Wednesday) August (Month), 19 61.
(Hour of reporting)

(Member or clerk of local Board)

If you wish to report direct to the examining station in Oakland, please contact this office at LU 2-5456

IMPORTANT NOTICE

TO ALL REGISTRANTS:

When you report for Armed Forces Physical Examination you will be forwarded to an Armed Forces Examining Station where you will be given a complete physical examination to determine whether you are physically qualified for service. Upon completion of your physical examination, you will be returned to the place of reporting designated above. You will be furnished transportation, and meals and lodging when necessary, from the place of reporting designated above to the examining station and return. Following your Armed Forces Physical Examination your Local Board will mail you a statement issued by the commanding officer of the station showing whether or not you are acceptable for service.

If you are employed, you should advise your employer of this order and inform him that the examination is merely to determine your acceptability for service. It is not an order to report for induction or an order to perform civilian work.

IF YOU HAVE HAD PREVIOUS ACTIVE OR INACTIVE MILITARY SERVICE, OR ARE NOW A MEMBER OF THE NATIONAL GUARD OR ANY RESERVE COMPONENT OF THE ARMED FORCES, BRING EVIDENCE OF YOUR SERVICE WITH YOU. IF YOU WEAR GLASSES, BRING THEM WITH YOU. IF YOU ARE MARRIED, BRING PROOF OF YOUR MARRIAGE.

If you are so far from your own Local Board that reporting in compliance with this order will be a hardship and you desire to report to the Local Board in the area in which you are now located, take this Order and go immediately to that

Pol 118

LOCAL BOARD NO. [illegible]
1079 "B" St., Rm [illegible]
Hayward, Californ

(LOCAL BOARD STAMP)

To

Forest Britt Peter
1730 Grove St.
Berkeley, Calif.

July 20, 1961
(Date of mailing)

SELECTIVE SERVICE NO.			
4	53	38	188

You are hereby directed to present yourself for Armed Forces Physical Examination to the Local Board named above by reporting at:

Local Board No. 53 1079 B St. Room 230 Hayward, California
(Place of reporting)

at 6:45 a. m., on the 30th of (Wednesday) August, 19 61
(Hour of reporting) (Day) (Month)

[signature]
(Member or clerk of Local Board)

If you wish to report direct to the examining station in Oakland, please contact this office at LU 2-5496

IMPORTANT NOTICE

TO ALL REGISTRANTS:

When you report for Armed Forces Physical Examination you will be forwarded to an Armed Forces Examining Station where you will be given a complete physical examination to determine whether you are physically qualified for service. Upon completion of your physical examination, you will be returned to the place of reporting designated above. You will be furnished transportation, and meals and lodging when necessary, from the place of reporting designated above to the examining station and return. Following your Armed Forces Physical Examination your Local Board will mail you a statement issued by the commanding officer of the station showing whether or not you are acceptable for service.

If you are employed, you should advise your employer of this order and inform him that the examination is merely to determine your acceptability for service. It is not an order to report for induction or an order to perform civilian work.

IF YOU HAVE HAD PREVIOUS ACTIVE OR INACTIVE MILITARY SERVICE, OR ARE NOW A MEMBER OF THE NATIONAL GUARD OR ANY RESERVE COMPONENT OF THE ARMED FORCES, BRING EVIDENCE OF YOUR SERVICE WITH YOU. IF YOU WEAR GLASSES, BRING THEM WITH YOU. IF YOU ARE MARRIED, BRING PROOF OF YOUR MARRIAGE.

If you are so far from your own Local Board that reporting in compliance with this order will be a hardship and you desire to report to the Local Board in the area in which you are now located, take this Order and go immediately to that Local Board and make written request for transfer for Armed Forces Physical Examination.

TO CLASS I-A AND I-A-O REGISTRANTS:

If you fail to report for Armed Forces Physical Examination as directed, you will be delinquent and will be immediately ordered to report for induction into the Armed Forces. You will also be subject to fine and imprisonment under the provisions of the Universal Military Training and Service Act, as amended.

TO CLASS I-O REGISTRANTS:

The Armed Forces Physical Examination is given for the purpose of determining your acceptability for service. If you are found acceptable, you will be available, in lieu of induction, to be ordered to perform civilian work contributing to the maintenance of the national health, safety, or interest. If you fail to report for or to submit to the Armed Forces Physical Examination, you will be deemed to be available to be ordered to perform civilian work in the same manner as if you had taken the Armed Forces Physical Examination and had been found acceptable.

SSS Form No. 223 (Revised 3-30-60) (Previous printings may be used until exhausted.) US GOVERNMENT PRINTING OFFICE: 1960—O-646256

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[fol. 118]

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Approval Not Required.

SELECTIVE SERVICE SYSTEM

DELINQUENCY NOTICE

LOCAL BOARD NO. 53
1079 "B" St., Rm. NO
Hayward, California

(Local Board Stamp)

October 2, 1961
(Date Became Delinquent)

October 3, 1961
(Date of Mailing)

SELECTIVE SERVICE NO.			
4	53	38	188

To Forest (First) Britt (Middle) Peter (Last)

Address 1730 Grove St.
(Street and Number or RFD Route)

Berkeley (City, Town, or Village) Alameda (Zone) (County) California (State)

You are hereby notified that this Local Board has declared you to be a delinquent because of your failure to perform the following duty or duties required of you under the selective service law:

Failure to report for Armed Forces Physical Examination on August 30, 1961

LOCAL BOARD NO. 5
1079 "B" St., Rm. 210
Hayward, California

(Local Board Stamp)

October 2, 1961
(Date Became Delinquent)

October 3, 1961
(Date of Mailing)

SELECTIVE SERVICE NO.			
4	53	38	188

To Forest (First) Britt (Middle) Peter (Last)

Address 1730 Grove St.
(Street and Number or RFD Route)

Berkeley (City, Town, or Village) Alameda (County) California (State)

You are hereby notified that this Local Board has declared you to be a delinquent because of your failure to perform the following duty or duties required of you under the selective service law:

Failure to report for Armed Forces Physical Examination on August 30, 1961

/s/ A. C. AMES
(Member or Clerk of Local Board)

The President of the United States,

To

Forest Britt Peter
1730 Grove St.
Berkeley, California

LOCAL BOARD NO. 53
1079 B St., Rm 230
Hayward, California
(LOCAL BOARD STAMP)

October 13, 1961
(Date of mailing)

SELECTIVE SERVICE NO.			
4	53	38	188

GREETING:

You are hereby ordered for induction into the Armed Forces of the United States, and to report at Local Board No. 53 1079 B St. Room 230 Hayward, Calif
(Place of reporting)

at 6:00 a. m., on the 22nd (Wednesday) of November, 1961
(Hour of reporting) (Day) (Month)

for forwarding to an Armed Forces Induction Station.

/s/ A. C. AMES
(Member or clerk of Local Board)

IMPORTANT NOTICE

If you have had previous active or inactive military service, or are now a member of the National Guard or any reserve component of the Armed Forces, bring evidence of your service with you. If you wear glasses, bring them. If you are married, bring proof of your marriage. If you intend to apply for dependency benefits, bring proof of your relationship and the support contributed to the person or persons you claim as dependents.

Bring your Social Security Account Number Card. If you do not have one, apply at nearest Social Security Administration Office. If you have life insurance, bring a record of the insurance company's address and your policy number. Bring enough clean clothes for 3 days, but do not bring more than you can carry in a small suitcase or handbag. You should bring enough money to last 1 month for any personal purchases you may desire to make.

This Local Board will furnish transportation to the induction station where you will be examined, and, if accepted for service, you will then be inducted into a branch of the Armed Forces. If you are not accepted, return transportation will be provided.

Persons reporting to the induction station in some instances are found to have developed disqualifying defects since being examined and may be rejected for these or other reasons. Keep this in mind in arranging your affairs, to prevent any undue hardship if you are rejected at the induction station. If you are employed, you should inform your employer of this possibility. Your employer can then be prepared to replace you if you are accepted, or to continue your employment if you are rejected.

Willful failure to report promptly at the place specified above and at the hour and on the day named in this Order is a violation of the Universal Military Training and Service Act, as amended, and subjects the violator to fine and imprisonment. You must keep this form and bring it with you when you report for induction.

If you are so far away from your own Local Board that reporting in compliance with this Order will be a serious hardship and you desire to report to a Local Board in the area in which you are now located, go immediately to that Local Board and make written request for transfer of your delivery for induction, taking this Order with you.

SSS Form No. 252 (Revised 4-8-59) (Previous printings may be used until exhausted.) 87 U.S. GOVERNMENT PRINTING OFFICE : 1959—O-511824

[fol. 121]

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[Stamp—Hayward Local Board Group "D"—Alameda County—OCT 16, 1961—Room 230, Broadway Building Professional Center—1079 B. Street, Hayward, California]

[fol. 122] Oct 11, 1961

To: Local Board No. 53
1079 'B' Street Rm 230
Hayward, California

Dear Sirs,

I recently received from you a notice of delinquency for my failure to report for an Armed Forces Physical Examination on August 30, 1961.

I do not consider myself delinquent. I remain as before, a conscientious objector to war and to all military institutions. I am a proponent of non violent action and reaction in communication and relationship with other human beings, and I could not and will not participate in a physical examination whose purpose is to define my fitness for service in the *Armed* Forces.

Once again,

/s/ Forest Britt Peter

[fol. 123] [Handwritten notation—4-53-38-188]

Nov 22, 1961

Dear Sirs,

I recently received your order for induction into the armed forces. The order asked that I report to the local board in Hayward on the 22nd of this month. I will appear. My reasons are as follows:

1—On the advice of my lawyer.

2—To bring before you, physical presence of my sincere opposition to war and the military institution.

I will be glad at that time to answer any questions you might bring up and will go through with any of the legal processes necessary to clarify my position.

However, I am still unwilling to answer any directives that go against my beliefs, pride or principles. And of course, I am unwilling and unable to pass that point in the induction process where I'd become a member of the armed forces instead of a civilian individual opposed to war and all military institutions.

I remain a proponent of non violent and creative alternatives to violence in international and personal affairs. I long for the day, and am committed to the day, when we would put down our self destructive notions and hankering for suicide. These notions and desires are manifest in one nations ego-centric arming against another. If not through passion or idea of justice, then through indifference and simple minded assent. Through lack of imagination. I long for the day when 'man is no longer wolf to man'.

I am an articulate (if not on political grounds, and least on the psychological level) objector to war and all military institutions, not just a 'draft dodger' or delinquent.

/s/ Forest Britt Peter

[fol. 125]

[Stamp—Selective Service System Alameda County Group "D"—NOV 29, 1961—Rm. 230, 1079 "B" Street, Hayward, California]

U. S. ARMY RECRUITING MAIN STATION
1515 Clay Street
Oakland 12, California

AMRCT-6 327 22 November 1961

SUBJECT: Selective Service Registrant's Refusal to Submit to Induction

To: U. S. Attorney
Northern District of California
422 Post Office Building
Seventh & Mission Streets
San Francisco, California

1. In compliance with the provisions of paragraph 40c (2), AR 601-270, dated 11 March 1960, as amended, the following information is submitted pertaining to Mr. *Forest Britt Peter*, a Selective Service registrant who refused to submit to induction on *22 November 1961*, at Armed Forces Induction Station, United States Army Recruiting Main Station, Det. (6040-06), *1515 Clay Street, Oakland 12, California.*

a. Forest Britt Peter—1730 Grove Street, Berkeley, California

b. Selective Service Number 4 53 38 188

c. Local Board No. 53, 1079 "B" Street, Rm. 230, Hayward, California

2. The name of the registrant appeared on the Selective Service System Delivery List, SSS Form 261, dated *22 November 1961*, indicating date of delivery as *22 November 1961*. The registrant reported to the Armed Forces Induction Station on *22 November 1961* and refused to be proc-

essed for induction in accordance with applicable provisions of Section II (Induction Processing), AR 601-270, as amended.

3. Mr. *Forest Britt Peter* was requested, but not required, to make a signed statement, dated, in his own handwriting, as follows: "I refuse to be inducted into the Armed Services of the United States." (Witnessed Statement attached.)

Yours truly,

/s/ NATHANIEL H. DUFFIELD

Nathaniel H. Duffield
2d Lt, AGC
Deputy for Induction

cc: State Director, Selective Service System of Sacramento, California

cc: Selective Service Local Board 53, Hayward, California

1. SEX: MALE	2. RACE	3. TOTAL YEARS MILITARY SERVICE	
4. DATE OF BIRTH: 6 Jul 28	5. PLACE OF BIRTH: Greenville, Calif	6. NAME, ORGANIZATION AND ADDRESS OF NEXT OF KIN	
7. PRESENT MILITARY OR CIVILIAN ADDRESS: APO, OAKLAND, CALIFORNIA		8. SERIAL NUMBER: AO: 5 53 38 188	
9. STATUS OR DESIGNATION		TIME IN THIS CAPACITY (Years)	LAST DAY WORKED

CLINICAL EVALUATION

ITEM NO.	(Comment upon all significant or abnormal findings. Enter appropriate item number before each comment. Continue in item 73 if necessary.)	NORMAL
	10. HEAD, FACE, NECK AND SCALP	
	11. NOSE	
	12. SINUSES	
	13. MOUTH AND THROAT	
	14. EARS—GENERAL (Incl. A. ext. canals) (Auditory acuity under items 70 and 71)	
	15. DRUGS (Perforation)	
	16. EYES—GENERAL (Visual acuity and refraction under items 69, 69 and 67)	
	17. OPHTHALMOSCOPIC	
	18. PUPILS (Equality and reacting)	
	19. OCULAR MOTILITY (Associated parallel movements, nystagmus)	
	20. LUNGS AND CHEST (Include breasts)	
	21. HEART (Thrust, size, rhythm, sounds)	
	22. VASCULAR SYSTEM (Varicosities, etc.)	
	23. ABDOMEN AND VISCERA (Include hernia)	
	24. ANUS AND RECTUM (Hemorrhoids, fistulae) (Prostate, if indicated)	
	25. ENDOCRINE SYSTEM	
	26. G-U SYSTEM	
	27. UPPER EXTREMITIES (Strength, range of motion)	
	28. FEET	
	29. LOWER EXTREMITIES (Except feet (Strength, range of motion))	
	30. SPINE, OTHER MUSCULOSKELETAL	
	31. IDENTIFYING BODY MARKS, SCARS, TATTOOS	
	32. SKIN, LYMPHATICS	
	33. NEUROLOGIC (Equilibrium tests under item 71)	
	34. PSYCHIATRIC (Specify any personality deviation)	
	35. PELVIC (Females only) (Check how done) ☐ VAGINAL ☐ RECTAL	

NOTES. (Describe every abnormality in detail. Enter pertinent item number before each comment. Continue in item 73 and use additional sheets if necessary.).

(Continue in item 73)

36. DENTAL (Place appropriate symbols above or below number of upper and lower teeth, respectively.)

O—Restorable tooth
/—Nonrestorable tooth
X—Missing tooth
XXX—Replaced by dentures
(6 X 6)—Fixed bridge, brackets to include abutments

RIGHT	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	LEFT
	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	

REMARKS AND ADDITIONAL DENTAL DEFECTS AND DISEASES

ACCEPTABLE

LABORATORY FINDINGS

37. URINALYSIS: A. SPECIFIC GRAVITY			38. CHEST X-RAY (Place, date, film number and result)
B. ALBUMIN	D. MICROSCOPIC		HEART AND LUNGS
C. SUGAR	NOT INDICATED		
47. SEROLOGY (Specify test used and result)	48. EKG	49. BLOOD TYPE AND RH FACTOR	50. OTHER TESTS
MICRO FLOC:			

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[fol. 128]

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INDUCTEE

RECORD OF INDUCTION

Form Approved
Budget Bureau No. 33-R010.4

(Local Board No. 83
Rm 230
Hayward, California
(Local Board of Origin Stamp)

SECTION I - GENERAL (Local Board Will Prepare From Latest Information Available)

1. LAST NAME - FIRST NAME - MIDDLE NAME
PETER, Forest Britt

2. SERIAL NUMBER (To be entered by Induction Station)

3. HOME OF RECORD (Number and street or rural route - if none so state - city or post office, county and state) (To be entered by Induction Station)

3a. CURRENT ADDRESS
1730 Grove St.
Berkeley, Calif.

4. SELECTIVE SERVICE NUMBER
4 53 38 188

5. DATE OF BIRTH
DAY 6 MONTH July YEAR 38

6. MARITAL STATUS
[X] SINGLE [ ] MARRIED [ ] DIVORCED [ ] WIDOWED

7. DEPENDENTS
a. NO. CHILDREN UNDER 18: 0
b. OTHER DEPENDENTS (Husband or wife, if married, and children indicated in Item 7a): 0

8a. PRIOR MILITARY SERVICE [ ] YES [X] NO (If "Yes", Complete Items Below)

b. ARMED FORCE
[ ] ARMY [ ] NAVY [ ] AIR FORCE [ ] MARINE CORPS [ ] COAST GUARD

c. COMPONENT
[ ] REGULAR [ ] USR [ ] RES [ ] NG

d. SERVICE NUMBER

e. DATE OF ENL., IND., APT. AND/OR ORDER TO ACTIVE DUTY

f. DATE OF DISCHARGE OR RELEASE

g. CHARACTER OF DISCHARGE OR SERVICE

h. REASON AND AUTHORITY FOR DISCHARGE OR RELEASE (Cite appropriate service regulation)

9a. PRESENT CIVILIAN TRADE OR OCCUPATION (Type of business)
Unemployed

b. LENGTH OF EXPERIENCE
YEARS MONTHS

10. EDUCATION

GRADE OR YEAR COMPLETED (Enter through all grades or years successfully completed) (Exclude trade or business schools)	ELEMENTARY AND HIGH SCHOOL												COLLEGE				POST GRADUATE			
	NONE	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	1	2	3	4

11. PLACE OF BIRTH
Greenville Calif.

12a. U.S. CITIZEN
[X] YES [ ] NO

IF NOT A U. S. CITIZEN

b. DATE OF ENTRY INTO U.S. FOR [ ] PERMANENT [ ] TEMPORARY RESIDENCE

c. ALIEN REGISTRATION RECEIPT CARD NUMBER

d. FOREIGN COUNTRY OF WHICH CITIZEN

e. IF NATURALIZED CITIZEN, GIVE DATE, PLACE, COURT OF JURISDICTION AND NATURALIZATION NUMBER

13a. CONVICTED OR ADJUDICATED OF CRIME OTHER THAN MINOR TRAFFIC VIOLATION (If "Yes", specify when, where, nature of court and sentence)
[ ] YES [X] NO

b. HELD IN CUSTODY OF LAW
[ ] YES [X] NO
IF ANSWER IS "YES", IS NECESSARY RELEASE OR WAIVER ATTACHED? [ ] YES [ ] NO

14. CONSCIENTIOUS OBJECTOR
[ ] CLASS I-A-O
[ ] CLASS I-O

15. PREVIOUSLY EXAMINED AND NOT ACCEPTABLE [ ] YES [X] NO (If "Yes", indicate the following) (Check one)
[ ] NOT ACCEPTABLE ON PREINDUCTION [ ] NOT ACCEPTABLE ON INDUCTION [ ] NOT ACCEPTABLE ON ENLISTMENT

SECTION II - LOCAL BOARD MEDICAL INTERVIEW

16. PHYSICAL DEFECTS (To be completed by Local Board)

a. LIST ALL DEFECTS AND DISEASES CLAIMED BY THE REGISTRANT AND ANY DEFECTS OR DISEASES WHICH THE REGISTRANT MAY HAVE, AND WHICH ARE KNOWN TO THE LOCAL BOARD (If no defects, indicate by "None")
None

b. ARE ANY OF THE DEFECTS OR DISEASES LISTED IN ITEM "a" ABOVE INCLUDED IN LIST OF DEFECTS (DSS Form 1425, as Rev.)? [ ] YES [ ] NO

c. REGISTRANT OR AFFIDAVIT REFERRED TO LOCAL BOARD MEDICAL ADVISOR [ ] YES [ ] NO

17. STATEMENT OF LOCAL BOARD MEDICAL ADVISOR (To be Completed If Item 16c Is "Yes")

FINDINGS

a. [ ] REGISTRANT DOES NOT HAVE DISQUALIFYING DEFECT(S) CLAIMED

[fol. 126]

Berkeley, Calif.

4. SELECTIVE SERVICE NUMBER				5. DATE OF BIRTH			6. MARITAL STATUS	7. DEPENDENTS	
4	53	38	188	Day: 6	Month: July	Year: 38	[X] SINGLE [ ] MARRIED [ ] WIDOWED [ ] DIVORCED	a. NO. CHILDREN UNDER 18: 0	b. OTHER DEPENDENTS (Relatives of wife, if married, and children indicated in item 7a): 0

8a. FORMER MILITARY SERVICE [ ] YES [X] NO If "Yes", Complete Items Below

8b. ARMED FORCES	8c. COMPONENT	8d. SERVICE NUMBER	8e. DATE OF ENL. IND. OR APP. ASSIGN. CHGD TO ACTIVE DUTY	8f. DATE OF DISCHARGE OR RELEASE
[ ] ARMY [ ] NAVY [ ] AIR FORCE [ ] MARINE CORPS [ ] COAST GUARD	[ ] REGULAR [ ] YES [ ] NO [ ] RES [ ] YES [ ] NO		8g. CHARACTER OF DISCHARGE OR RELEASE	8h. GRADE AND ARM/SERVICE AT TIME DISCHARGED OR RELEASED (Also separation number regulation)

9a. PRESENT CIVILIAN TRADE OR OCCUPATION (Type of business): Unemployed

9b. LENGTH OF EXPERIENCE: Years | Months

10. EDUCATION

GRADE OR YEAR COMPLETED (Enter through last grade or years satisfactorily completed) (Elementary, high or business schools)	ELEMENTARY AND HIGH SCHOOL												COLLEGE				POST GRADUATE			
	NONE	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	1	2	3	4

11. PLACE OF BIRTH	12a. U.S. CITIZEN	IF NOT A U.S. CITIZEN		
		12b. DATE OF ENTRY INTO U.S. FOR [ ] PERMANENT [ ] TEMPORARY RESIDENCE	12c. ALIEN REGISTRANT RECEIPT CARD NUMBER	12d. FOREIGN COUNTRY OF WHICH CITIZEN
Greenville Calif.	[X] YES [ ] NO			

12e. IF NATURALIZED CITIZEN, GIVE DATE, PLACE, COURT OF JURISDICTION AND NATURALIZATION NUMBER

13a. CONVICTED OR ADJUDICATED OF CRIME OTHER THAN MINOR TRAFFIC VIOLATION (If "Yes", specify when, where, nature of court and sentence)	13b. NOW IN CUSTODY OF LAW	14. CONSCIENTIOUS OBJECTOR
[ ] YES [X] NO	[ ] YES [X] NO. IF ANSWER IS "YES", IS NECESSARY RELEASE OR WAIVER ATTACHED? [ ] YES [ ] NO	[ ] CLASS I-A-O [ ] CLASS I-O

15. PREVIOUSLY EXAMINED AND NOT ACCEPTABLE [ ] YES [X] NO (If "Yes", indicate the following) (Check one)
[ ] NOT ACCEPTABLE ON PREINDUCTION [ ] NOT ACCEPTABLE ON INDUCTION [ ] NOT ACCEPTABLE ON ENLISTMENT

SECTION II - LOCAL BOARD MEDICAL INTERVIEW

16. PHYSICAL DEFECTS (To be completed by Local Board)

a. LIST ALL DEFECTS AND DISEASES CLAIMED BY THE REGISTRANT AND ANY DEFECTS OR DISEASES WHICH THE REGISTRANT MAY HAVE, AND WHICH ARE KNOWN TO THE LOCAL BOARD (If no defects, indicate by "None"): None

b. ARE ANY OF THE DEFECTS OR DISEASES LISTED IN ITEM "a" ABOVE INCLUDED IN LIST OF DEFECTS (Par 1639, 32 Reg.)? [ ] YES [ ] NO

c. REGISTRANT OR AFFIDAVIT REFERRED TO LOCAL BOARD MEDICAL ADVISOR [ ] YES [ ] NO

17. STATEMENT OF LOCAL BOARD MEDICAL ADVISOR (To be Completed if Item 16c is "Yes")

FINDINGS

a. [ ] REGISTRANT DOES NOT HAVE DISQUALIFYING DEFECT(S) CLAIMED.

b. [ ] REGISTRANT HAS THE FOLLOWING DISQUALIFYING DEFECT OR DEFECTS (Enter the principal disqualifying defect first, list all other defects in order of significance, and attach affidavits or statements):

c. REMARKS

DATE	PLACE	SIGNATURE OF LOCAL BOARD MEDICAL ADVISOR (When Item 16c is "Yes")
		SIGNATURE OF MEMBER OR CLERK OF LOCAL BOARD (When Item 16c is "No")

DD FORM 1 NOV 53 47 PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

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SECTIONS III, IV, V, VI, VII, VIII, AND IX SHALL BE FILLED OUT AT INDUCTION STATION

SECTION III - MEDICAL DETERMINATION

REMEMBER: Changes in physical profile or physical category on DD 62 will be entered on separate lines under original determination

15. DATE	PHYSICAL PROFILE SERIAL						PHYSICAL CATEGORY			
	P	U	L	H	E	S	A	B	C	E

SECTION IV - ORDER OF ARMED FORCES SERVICE PREFERENCE

16. PLACE ORDER OF PREFERENCE NUMBER IN BOX

☐ ARMY ☐ NAVY ☐ MARINE CORPS ☐ COAST GUARD ☐ AIR FORCE ☐ NONE

SECTION V - MENTAL DETERMINATION

20a. TEST - FORM - SCORE	AFQT MENTAL GROUP	I	II	III	IV	V	☐ ADMINISTRATIVELY ACCEPTED

20b. OTHER TEST(S)	SCORE
	☐ QUALIFYING ☐ DISQUALIFYING

SECTION VI - MORAL DETERMINATION

21. REGISTRANT HAS BEEN PERSONALLY INTERVIEWED AT TIME OF

a. ☐ PREINDUCTION - REVEALED COURT ADJUDICATION OR CONVICTION* ☐ YES ☐ NO WAIVER ☐ NOT REQUIRED ☐ GRANTED ☐ NOT GRANTED ☐ NOT PROCESSED

b. ☐ INDUCTION - REVEALED COURT ADJUDICATION OR CONVICTION* ☐ YES ☐ NO WAIVER ☐ NOT REQUIRED ☐ GRANTED ☐ NOT GRANTED ☐ NOT PROCESSED

*Except minor traffic violations. REMARKS:

SECTION VII - DETERMINATION AT PREINDUCTION EXAMINATION

22. THE QUALIFICATIONS OF THE ABOVE NAMED REGISTRANT HAVE BEEN CONSIDERED IN ACCORDANCE WITH THE CURRENT REGULATIONS GOVERNING THE ACCEPTANCE OF SELECTIVE SERVICE REGISTRANTS AND HE WAS THIS DATE

a. ☐ FOUND ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES

b. ☐ FOUND NOT ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES FOR THE FOLLOWING REASONS

ADMINISTRATIVE: ☐ MORAL ☐ ALIEN ☐ OTHER ADMINISTRATIVE (Specify)

☐ TRAINABILITY LIMITED (T-O)

☐ FAILED AFQT ONLY ☐ FAILED AFQT AND MEDICAL

FAILED MEDICAL ONLY: ☐ PSYCHIATRIC ☐ OTHER MEDICAL

DATE	PLACE

TYPED NAME, GRADE, AND ORGANIZATION OF CO OF INDUCTION STATION	SIGNATURE

SECTION VIII - DETERMINATION AT INDUCTION EXAMINATION

23. TYPE OF EXAMINATION (Check one):

☐ PHYSICAL INSPECTION ☐ COMPLETE MEDICAL EXAMINATION (Due to lapse of time) ☐ COMPLETE MEDICAL AND MENTAL EXAMINATION (Delinquents, previous volunteers, etc.)

a. ☐ FOUND ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES

b. ☐ FOUND NOT ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES FOR THE FOLLOWING REASONS:

ADMINISTRATIVE: ☐ MORAL ☐ ALIEN ☐ OTHER ADMINISTRATIVE (Specify)

☐ TRAINABILITY LIMITED (T-O)

☐ FAILED AFQT ONLY ☐ FAILED AFQT AND MEDICAL

FAILED MEDICAL ONLY: ☐ PSYCHIATRIC ☐ OTHER MEDICAL

DATE	PLACE

TYPED NAME, GRADE AND ORGANIZATION OF CO OF INDUCTION STATION	SIGNATURE

SECTION IX - DISPOSITION OF INDUCTEE BY ARMED FORCES

24. THE QUALIFICATIONS OF THE ABOVE-NAMED INDIVIDUAL HAVE BEEN CONSIDERED IN ACCORDANCE WITH CURRENT REGULATIONS GOVERNING THE ACCEPTANCE OF SELECTIVE SERVICE REGISTRANTS AND HE WAS INDUCTED INTO:

☐ ARMY ☐ NAVY ☐ MARINE CORPS ☐ COAST GUARD ☐ AIR FORCE

e. DATE OF INDUCTION

AND ORDERED TO REPORT TO:

a. ORGANIZATION	c. LOCATION	d. DATE

e. INDUCTION STATION AT WHICH INDUCTED

TYPED OR STAMPED NAME AND GRADE OF INDUCTION OFFICER	SIGNATURE OF INDUCTION OFFICER

SECTION X - FINGERPRINTS OF RIGHT HAND (Fingerprint impressions will be made in this space in the case of every person inducted)

1. THUMB	2. INDEX	3. MIDDLE	4. RING	5. LITTLE

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AIR FORCE | ARMY

SECTION V - MENTAL DETERMINATION

30a. TEST - FORM - SCORE	APQT MENTAL GROUP	I	II	III	IV	V	[ ] PSYCHONEUROTICALLY INDICATED
30b. OTHER TESTS:							SCORE [ ] QUALIFIED [ ] DISQUALIFIED

SECTION VI - MORAL DETERMINATION

31. REGISTRANT HAS BEEN PERSONALLY INTERVIEWED AT TIME OF

a. [ ] PRE-INDUCTION - REVEALED COURT ADJUDICATION OR CONVICTION YES* NO GIVEN NOT REQUIRED [ ] ADJUSTED [ ] NOT ADJUSTED [ ] NOT PROCESSED

b. [ ] INDUCTION - REVEALED COURT ADJUDICATION OR CONVICTION YES* NO GIVEN NOT REQUIRED [ ] ADJUSTED [ ] NOT ADJUSTED [ ] NOT PROCESSED

*Explain under item 32 where indicated. REMARKS

SECTION VII - DETERMINATION AT PRE-INDUCTION EXAMINATION

32. THE QUALIFICATIONS OF THE ABOVE NAMED REGISTRANT HAVE BEEN CONSIDERED IN ACCORDANCE WITH THE CURRENT REGULATIONS GOVERNING THE ACCEPTANCE OF SELECTIVE SERVICE REGISTRANTS AND HE WAS THIS DATE

a. [ ] FOUND ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES

b. [ ] FOUND NOT ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES FOR THE FOLLOWING REASONS

ADMINISTRATIVE: [ ] MORAL [ ] ALIEN [ ] OTHER ADMINISTRATIVE (Specify)

[ ] TRAINABILITY LIMITED (T-0)

[ ] FAILED AFQT ONLY [ ] FAILED AFQT AND MEDICAL

FAILED MEDICAL ONLY: [ ] PSYCHIATRIC [ ] OTHER MEDICAL

DATE	PLACE
TYPED NAME, GRADE, AND ORGANIZATION OF CO OF INDUCTION STATION	SIGNATURE

SECTION VIII - DETERMINATION AT INDUCTION EXAMINATION

33. TYPE OF EXAMINATION (Check one):

[ ] PHYSICAL INSPECTION [ ] COMPLETE MEDICAL EXAMINATION (Due to lapse of time) [ ] COMPLETE MEDICAL AND MENTAL EXAMINATION (Delinquents, previous volunteers, etc.)

a. [ ] FOUND ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES

b. [ ] FOUND NOT ACCEPTABLE FOR INDUCTION INTO THE ARMED FORCES FOR THE FOLLOWING REASONS:

ADMINISTRATIVE: [ ] MORAL [ ] ALIEN [ ] OTHER ADMINISTRATIVE (Specify)

[ ] TRAINABILITY LIMITED (T-0)

[ ] FAILED AFQT ONLY [ ] FAILED AFQT AND MEDICAL

FAILED MEDICAL ONLY: [ ] PSYCHIATRIC [ ] OTHER MEDICAL

DATE	PLACE
TYPED NAME, GRADE AND ORGANIZATION OF CO OF INDUCTION STATION	SIGNATURE

SECTION IX - DISPOSITION OF INDUCTEE BY ARMED FORCES

34. THE QUALIFICATIONS OF THE ABOVE-NAMED INDIVIDUAL HAVE BEEN CONSIDERED IN ACCORDANCE WITH CURRENT REGULATIONS GOVERNING THE ACCEPTANCE OF SELECTIVE SERVICE REGISTRANTS AND HE WAS INDUCTED INTO:

[ ] ARMY [ ] NAVY [ ] MARINE CORPS [ ] COAST GUARD [ ] AIR FORCE

a. DATE OF INDUCTION

AND ORDERED TO REPORT TO:

b. ORGANIZATION	c. LOCATION	d. DATE

e. INDUCTION STATION AT WHICH INDUCTED

TYPED OR STAMPED NAME AND GRADE OF INDUCTION OFFICER	SIGNATURE OF INDUCTION OFFICER

SECTION X - FINGERPRINTS OF RIGHT HAND (Fingerprint impressions will be made in this space in the case of every person inducted)

1. THUMB	2. INDEX	3. MIDDLE	4. RING	5. LITTLE

* GPO : 1953 O—[illegible]

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REPORT OF MEDICAL EXAMINATION

INDUCTEE

1. LAST NAME—FIRST NAME—MIDDLE NAME

[redacted], ROBERT BRUCE

4. PRESENT ADDRESS (Number, street or R.F.D., city or town, zone and State)

1730 Grove St., Berkeley, Calif

7. SEX: MALE

8. RACE

9. TOTAL YEARS GOVERNMENT SERVICE: MILITARY / CIVILIAN

12. DATE OF BIRTH: 6 Jul 38

13. PLACE OF BIRTH: Greenville, Calif

16. EXAMINING FACILITY OR EXAMINER, AND ADDRESS: AFES, OAKLAND, CALIFORNIA

16. OTHER INFORMATION: SS#: 4 53 38 188

17. RATING OR SPECIALTY

TIME IN THIS CAPACITY (Total)

LAST SIX MONTHS

CLINICAL EVALUATION

NORMAL	(Check each item in appropriate column; enter "NE" if not evaluated.)	ABNORMAL
	18. HEAD, FACE, NECK AND SCALP	
	19. NOSE	
	20. SINUSES	
	21. MOUTH AND THROAT	
	22. EARS—GENERAL (Ext. & int. canals) (Auditory acuity under items 70 and 71)	
	23. DRUMS (Perforation)	
	24. EYES—GENERAL (Visual acuity and refraction under items 69, 69 and 67)	
	25. OPHTHALMOSCOPIC	
	26. PUPILS (Equality and reaction)	
	27. OCULAR MOTILITY (Associated parallel movements, nystagmus)	
	28. LUNGS AND CHEST (Include breasts)	
	29. HEART (Thrust, size, rhythm, sounds)	
	30. VASCULAR SYSTEM (Varicosities, etc.)	
	31. ABDOMEN AND VISCERA (Include hernia)	
	32. ANUS AND RECTUM (Hemorrhoids, fistulae) (Prostate, if indicated)	
	33. GENITOURINARY SYSTEM	
	34. G-U SYSTEM	
	35. UPPER EXTREMITIES (Strength, range of motion)	
	36. FEET	
	37. LOWER EXTREMITIES (Strength, range of motion)	
	38. SPINE, OTHER MUSCULOSKELETAL	
	39. IDENTIFYING BODY MARKS, SCARS, TATTOOS	
	40. SKIN, LYMPHATICS	
	41. NEUROLOGIC (Equilibrium tests under item 72)	
	42. PSYCHIATRIC (Specify any personality deviation)	
	43. PELVIC (Female only) (Check how done) ☐ VAGINAL ☐ RECTAL	

NOTES. (Describe every abnormality in detail. Enter pertinent item number before each comment. Continue in item 73 and use additional sheets if necessary.)

(Continued in item 73)

44. DENTAL (Place appropriate symbols above or below number of upper and lower teeth, respectively.)

O—Restorable tooth; X—Missing tooth; /—Nonrestorable tooth; XXX—Replaced by dentures; (6 X 4)—Fixed bridge, brackets to include abutments

RIGHT	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	LEFT
	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	

REMARKS AND ADDITIONAL DENTAL DEFECTS AND DISEASES

ACCEPTABLE

LABORATORY FINDINGS

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MEASUREMENTS AND OTHER FINDINGS

51. HEIGHT | 52. WEIGHT | 53. COLOR HAIR | 54. COLOR EYES | 55. BUILD ☐ SLENDER ☐ MEDIUM ☐ HEAVY ☐ OBESE | 56. TEMPERATURE

57. BLOOD PRESSURE (.0 mm of heart level)

A SITTING	SYS	DIAS	B RECUMBENT	SYS	DIAS	C STANDING (3 min.)	SYS	DIAS

58. PULSE (.0 mm of heart level)

A SITTING	B AFTER EXERCISE	C 2 MIN AFTER	D RECUMBENT	E AFTER STANDING 3 MIN.

59. DISTANT VISION

RIGHT 20/ CORR TO 20/

LEFT 20/ CORR TO 20/

60. REFRACTION

BY S OX

BY S OX

61. NEAR VISION

CORR TO BY

CORR TO BY

62. HETEROPHORIA (*Specify distance*)

ESO EXO R H L H PRISM DIV. PRISM CONV. PC PD

CT

COVER TEST 20':

63. ACCOMMODATION

RIGHT X LEFT X

64. COLOR VISION (*Test used and result*)

AOC:

65. DEPTH PERCEPTION (*Test used and score*)

66. FIELD OF VISION

67. NIGHT VISION (*Test used and score*)

68. RED LENS TEST

69. INTRAOCULAR TENSION

UNCORRECTED

CORRECTED

NORMAL

70. HEARING

RIGHT WV /15 SV /15

LEFT WV /15 SV /15

71. AUDIOMETER

	250 cps	500 cps	1000 cps	2000 cps	3000 cps	4000 cps	6000 cps	8000 cps
RIGHT								
LEFT								

72. PSYCHOLOGICAL AND PSYCHOMOTOR (*Tests used and score*)

SEE ITEM 73

73. NOTES (*Continued*) AND SIGNIFICANT OR INTERVAL HISTORY

AFQT:

(*Use additional sheets if necessary*)

74 SUMMARY OF DEFECTS AND DIAGNOSES (*List diagnosis with item numbers*)

75. RECOMMENDATIONS FURTHER SPECIALIST EXAMINATIONS INDICATED (*Specify*)

76. A PHYSICAL PROFILE

P	U	L	H	E	S

B PHYSICAL CATEGORY

A	B	C	E

77. EXAMINEE (*Check*)

A ☐ IS QUALIFIED FOR

B ☐ IS NOT QUALIFIED FOR MILITARY SERVICE

78. IF NOT QUALIFIED LIST DISQUALIFYING DEFECTS BY ITEM NUMBER

79 TYPED OR PRINTED NAME OF PHYSICIAN

SIGNATURE

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LEFT 20/ CORR TO 20/ | BY S OX | CORR. TO BY

62. HETEROPHORIA (*Specify distance*)

ES° EX° R. H. L. H. PRISM DIV. PRISM CONV. CT PC PD

COVER TEST 20':

63. ACCOMMODATION

RIGHT X LEFT X

64. COLOR VISION (*Test used and result*)

AOC:

65. DEPTH PERCEPTION (*Test used and score*)

UNCORRECTED

CORRECTED

66. FIELD OF VISION

67. RIGHT VISION (*Test used and score*)

68. RED LENS TEST

69. INTRAOCULAR TENSION

NORMAL

70. HEARING

RIGHT WV /15 SV /15

LEFT WV /15 SV /15

71. AUDIOMETER

	512	1024	2048	4096	8192
RIGHT					
LEFT					

72. PSYCHOLOGICAL AND PSYCHOMOTOR (*Tests used and score*)

SEE ITEM 73

73. NOTES (*Continued*) AND SIGNIFICANT OR INTERVAL HISTORY

APQT:

(*Use additional sheets if necessary*)

74 SUMMARY OF DEFECTS AND DIAGNOSES (*List diagnoses with item numbers*)

75. RECOMMENDATIONS FURTHER SPECIALIST EXAMINATIONS INDICATED (*Specify*)

77. EXAMINEE (*Check*)

A ☐ IS QUALIFIED FOR

B ☐ IS NOT QUALIFIED FOR MILITARY SERVICE

78. IF NOT QUALIFIED, LIST DISQUALIFYING DEFECTS BY ITEM NUMBER

76. A PHYSICAL PROFILE

P	U	L	H	E	S

B PHYSICAL CATEGORY

A	B	C	E

79 TYPED OR PRINTED NAME OF PHYSICIAN — SIGNATURE

80. TYPED OR PRINTED NAME OF PHYSICIAN — SIGNATURE

81. TYPED OR PRINTED NAME OF DENTIST OR PHYSICIAN (*Indicate which*) — SIGNATURE

82. TYPED OR PRINTED NAME OF REVIEWING OFFICER OR APPROVING AUTHORITY — SIGNATURE

NUMBER OF ATTACHED SHEETS

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SELECTIVE SERVICE SYSTEM

Budget Bureau. App. not required.

DELINQUENT REGISTRANT REPORT

[illegible] 63 Blvd. [illegible]

(Local Board Stamp)

January 22, 1962
(Date)

TO: Hon. Cecil [illegible] United States Attorney

Northern Dist. of Calif. 422 Post Office Bldg. 7th & Mission St. San Francisco, Calif.
(Address)

1. IDENTIFICATION OF DELINQUENT:

Full name of delinquent:

[illegible], (Last) Forest (First) Britt (Middle) | None (Alias, if any)

Last known address: 1730 Grove St. (Number and street or R. F. D. route) Berkeley, (City, town, or village) (Zone) (County) Calif. (State)

Last known telephone No.:

Selective Service No.:	Social Security No.:	Selective Service classification:
[illegible] 53 38 188	546 46 [illegible]	1-A

Color of eyes:	Color of hair:	Complexion:	Height:	Weight:	Race:
Brown	Brown	Fair	5'11"	190	W

Other obvious physical characteristics:

None

Date of birth: July (Month) 6 (Day) 1938 (Year)

Place of birth: Greenville, Calif. U.S.A. (City, town, county) (State or country)

Prior military service:

None
(Branch of Armed Forces) (Service or serial number) (Date of entry)

(Name of last organization) (Date of separation)

This delinquent has a court record as follows:

Offense	Date of Conviction (Month, day, year)	Court (Name and location)	Sentence
None			

[illegible] Fol. 135]

2. OFFENSES:

This delinquent failed to report for induction into the Armed Forces pursuant to (check applicable box):

☐ Order to Report for Induction (SSS Form No. 252).

☐ Order for Transferred Man to Report for Induction (SSS Form No. 253).

The order indicated was mailed on Oct. 13, 1961 (Date of mailing) to this delinquent at

1730 Grove St. Berkeley, Calif. to report on Nov. 22, 1961

(Local Board Stamp)

TO: Hon. Cecil F. Poole, United States Attorney

Northern Dist. of Calif. 422 Post Office Bldg. 7th & Mission St. San Francisco, Calif.
(Address)

1. IDENTIFICATION OF DELINQUENT:

Full name of delinquent: [redacted] (Last) Forest (First) Britt (Middle)

Alias, if any: None

Last known address: 1730 Grove St. (Number and street or R. F. D. route) Berkeley, (City, town, or village) (Zone) (County) Calif. (State)

Last known telephone No.:

Selective Service No.:	Social Security No.:	Selective Service classification:
4 53 38 188	546 46 9944	1-A

Color of eyes:	Color of hair:	Complexion:	Height:	Weight:	Race:
Brown	Brown	Fair	5'11"	190	W

Other obvious physical characteristics: None

Date of birth: July (Month) 6 (Day) 1938 (Year)

Place of birth: Greenville, Calif. (City, town, county) U.S.A. (State or country)

Prior military service: None (Branch of Armed Forces) (Service or serial number) (Date of entry)

(Name of last organization) (Date of separation)

This delinquent has a court record as follows:

Offense	Date of Conviction (Month, day, year)	Court (Name and location)	Sentence
None			

2. OFFENSES:

This delinquent failed to report for induction into the Armed Forces pursuant to (check applicable box):

☐ Order to Report for Induction (SSS Form No. 252).

☐ Order for Transferred Man to Report for Induction (SSS Form No. 253).

The order indicated was mailed on Oct. 13, 1961 (Date of mailing) to this delinquent at

1730 Grove St. Berkeley, Calif. (Address) to report on Nov. 22, 1961 (Date)

In addition to failing to report for induction into the Armed Forces this delinquent has also failed to perform the following duties at the times indicated:

DUTIES	DATES
Failed to submit to induction	Nov. 22, 1961

SSS Form No. 301 (Revised 6-29-61) (OVER) 16—64888-1

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3. EFFORTS MADE TO LOCATE DELINQUENT:

The delinquent ..... been located on ..... at .....
(Has, has not) (Date) (Address)

The person who will always know the delinquent's address is .....
(Name)

..... This person ..... been contacted by
(Address) (Has, has not)

..... on ..... with the following result .....
(Letter, telephone, in person) (Date)

.....

The delinquent's last known place of employment or business is .....
(Name)

....., ... His employer ..... been contacted by
(Address) (Telephone number) (Has, has not)

..... on ..... with the following result .....
(Letter, telephone, in person) (Date)

.....

4. Mail directed to the delinquent ..... returned by the post office.
(Is, is not)

5. REMARKS: (Include additional efforts to locate delinquent or names of individuals who may know whereabouts of the delinquent.)

Registrant's file has been reviewed by the Director of Selective Se vice under the provisions of paragraph 9, LSM No. 14, and The Director has determined that prosecutive action should be taken in the case.

[Fol. 136]

6. FUTURE INFORMATION:

You will be advised promptly by letter of any change in this delinquent's status and of any additional facts which may come to the attention of this board concerning his whereabouts or which may aid you in apprehending and prosecuting him.

The delinquent's last known place of employment or business is _____ (Name)

_____ (Address), _____ (Telephone number) His employer _____ (Has, has not) been contacted by

_____ (Letter, telephone, in person) on _____ (Date) with the following result _____

4. Mail directed to the delinquent _____ (Is, is not) returned by the post office.

5. REMARKS: (Include additional efforts to locate delinquent or names of individuals who may know whereabouts of the delinquent.)

Registrant's file has been reviewed by the Director of Selective Service under the provisions of paragraph 9, LBM No. 14, and The Director has determined that prosecutive action should be taken in the case.

[fol. 136]

6. FUTURE INFORMATION:

You will be advised promptly by letter of any change in this delinquent's status and of any additional facts which may come to the attention of this board concerning his whereabouts or which may aid you in apprehending and prosecuting him.

_____ (Member or clerk of local board)

This form will be used in making report to the United States Attorney of delinquents, who fail to report for induction. Other delinquencies, if reported to the United States Attorney, will be reported by letter.

This form will be made out in triplicate. The original and first copy of the form shall be sent to the United States Attorney for the judicial district in which the local board is located. One copy of the form shall be filed in the Cover Sheet (SSS Form No. 101) of the delinquent.

16—64333-1 U. S. GOVERNMENT PRINTING OFFICE

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GOVERNMENT'S EXHIBIT No. 2

[Stamp—Hayward Local Board Group "D"—Alameda County—JUN 26, 1962—24800 Mission Blvd., Hayward, California]

Forest Britt Peter
442 65th Street
Oakland, California

Dear Sirs,

On Aug. 30th 1961 I refused to participate in the pre-induction physical of the Armed Forces. I felt this act was consistant with my beliefs as a Conscientious Objector to war and opponent of the military institution.

Since that time I have consulted counsel and found that one must exhaust a number of legal remedies before being able to state their position in court, and that the pre-induction physical is one of these procedures.

At this time, on the advice of counsel, I would like to take the pre-induction physical, so that I might better present my objection to war and opposition to the military institution at future hearings of my case.

This in no way alters my basic position. I remain a Conscientious Objector to war and am a proponent of the alternatives to violence that non-violent actions present, in both private and public affairs and relations.

Once again,

/s/ FOREST BRITT PETER
Forest Britt Peter

[Handwritten notation—Al Ames—8/6/62]

[fol. 146]

(Emblem)

CALIFORNIA HEADQUARTERS
SELECTIVE SERVICE SYSTEM
OLD POST OFFICE BLDG., 7TH AND K STREETS
SACRAMENTO 14, CALIFORNIA

IN REPLYING ADDRESS
THE STATE DIRECTOR AND REFER TO
SUBJECT BELOW

19-12

July 3, 1962

Mr. Forest Britt Peter
442—68th Street
Oakland, California

Dear Sir:

This will acknowledge your undated letter which was received at this headquarters on June 27, 1962.

Your case has already been referred to the United States Attorney, therefore, neither your local board nor this headquarters may authorize a new preinduction physical examination in lieu of the one scheduled for August 30, 1961, and for which you failed to report.

This headquarters contemplates no further action in your case since it is in the hands of the United States Attorney.

FOR THE STATE DIRECTOR

THOMAS L. JENSEN
Major, USMC
Manpower Division

cc: Lt. Col. Frank G. Lyman
Local Board No. 53

[Stamp—Hayward Local Board Group "D"—Alameda County—JUL 5, 1962—24800 Mission Blvd., Hayward, California]

[fol. 147]

Forest Britt Peter
442 65th Street
Oakland, California

Dear Sirs,

On Aug. 30th, 1961 I refused to participate in the pre-induction physical of the Armed Forces. I felt this act was consistant with my beliefs as a Conscientious Objector to war and opponent of the military institution.

Since that time I have consulted counsel and found that one must exhaust a number of legal remedies before being able to state their position in court, and that the pre-induction physical is one of these procedures.

At this time, on the advice of counsel, I would like to take the pre-induction physical, so that I might better present my objection to war and opposition to the military institution at future hearings of my case.

This in no way alters my basic position. I remain a Conscientious Objector to war and am a proponent of the alternatives to violence that non-violent actions present, in both private and public affairs and relations.

Once again,

/s/ Forest Britt Peter

Forest Britt Peter

[Stamp—Hayward Local Board Group "D"—Alameda County—JUL 5, 1962—24800 Mission Blvd., Hayward, California]

[fol. 149]

Local Board No. 53
24800 Mission Blvd.
Hayward, California

August 8, 1962

Forest Britt Peter
442—65th St., Back Cottage
Oakland, California

SS No. 4 53 38 188

Dear Sir:

This is in reply to your recent undated letter in which you asked this local board to order you again for physical examination.

Your file discloses that on August 30, 1961 you failed to appear for a physical examination and that on November 22, 1961 you appeared at the induction station and refused to enter into the induction processing which included the taking of a physical examination.

Evidence has not been presented to indicate that you are willing to accept induction into the Armed Forces and a physical examination is a pre-requisite to induction; therefore, it is the opinion of this local board that no useful purpose would be served the Selective Service System by granting your request.

By Direction of Local Board No. 53

/s/ Dorothy C. Thussin
Coordinator

[fol. 151]

DEFENDANT'S EXHIBIT "A"

Forest Britt Peter
442—65th Street
Oakland, California

July 6, 1962

Lieutenant General Lewis B. Hershey
Director, Selective Service System
451 Indiana Avenue N. W.
Washington 25, D. C.

Dear General Hershey:

Re: Pre-Induction Physical

On August 30, 1961, I refused to participate in the pre-induction physical of the Armed Forces. I felt this act was consistant with my beliefs as a Conscientious Objector to war and opponent of the military institution.

Since that time I have consulted counsel and found that one must exhaust a number of legal remedies before being able to state their position in court, and that the pre-induction physical is one of these procedures.

At this time, on the advice of counsel, I would like to take the pre-induction physical, so that I might better present my objection to war and opposition to the military institution at future hearings of my case.

I have presented this request to parties at the Local Physical and Induction Center, to my local Draft Board and to the State Director of Selective Service. None has to date made a ruling on the request. Could you possibly give it some consideration.

The detailed statement that follows contains evidence of my continued stand as a Conscientious Objector to war.

Respectfully submitted,

Forest Britt Peter

Selective Service No.
4-53-38-188

[fol. 152]

Forest Britt Peter
442—65th Street
Oakland, California

July 6, 1962

Lieutenant General Lewis B. Hershey
Director, Selective Service System
451 Indiana Avenue N. W.
Washington 25, D. C.

Dear General Hershey:

I am writing on the advice of counsel and through the recommendation of the National Board for Religious Objectors, in the hope you might give my case as a Conscientious Objector to war, some consideration. I have been refused classification as a Conscientious Objector at the Draft Board and the Appeal Board level. I would like a decision on your part regarding a Presidential Appeal and will present evidence here, in a further attempt to clarify my position as an objector to war. It is my hope you will consider the contents of this letter and grant such an appeal.

I feel there has been a lack of communication between myself and the officials of the government in this case and that this has been the result of my religious views not being orthodox. I would like to make another attempt here to clarify the motivating factors behind my beliefs as an objector to war, so you might better understand my position.

I have never answered "yes" or "no" to the question, "Do you believe in a Supreme Being?", for several reasons. For one, I was not sure of the Government's definition of a Supreme Being and, as far as I know, the government has never defined the words, 'Supreme Being' in print or in any law. This definition it seems to me would trap the government into the tangle of proving God's existence and God's specific character. Something government officials have neither the right or inclination to do. Yet, they ask of the applicant for Objector classification to accept this

undefined creation: a Supreme Being. They also ask him to show proof of the relationship to this Being and how it affects the applicant's actions in opposition to war. I cannot answer these questions with the simple "yes" or "no" answers the form calls for. The nature of my belief is more complex and I must have more room to expand my thoughts and to express, or translate, my beliefs through the medium of language. I find this task additionally difficult because I place the stress of my belief on the products, the elements in creation, rather than on a reverence toward the possible Creator of these elements and mysteries of the universe.

This reverence for the elements in the universe before that of the possible creator might be unorthodox, but it is not foreign to religious thought. Witness the writings of Buddha (those attributed to him and early followers), and to Lao Tzu as well as Christian mystics like Boehme and Blake.

[fol. 153] I feel that one is not amiss in terming my conviction "religious" in that it is based on vision and a dedication to that vision, and I feel that this vision and my commitment to it fits into a definite tradition if not into any specific historical group.

I would like here to further show the nature of this vision, to speak of the motivation of my convictions and give evidence of my commitment to these convictions.

I'm motivated by what Albert Schweitzer calls a "reverence for Life". I think of myself as a receptive organ through which the tragedy and beauty of the world are preceived. For instance, if I hear of a man dying in the gas chamber, I feel no malice for his crime, it is usually understandable, but I do feel a sickening loss for his death. I feel that each individual has the potential of realizing every moment of his life until death and that I as another human being cannot deny him the destiny his life might follow, no matter how wrong-headed it might seem. I would attempt other sanctions toward him. Sanctions that would not harm his physical presence on earth.

Or as another example: I see a new child in the world and am struck with wonder. Here is another being, very

strange, and it is not for me to destroy his growth. I must try not to harm his development. His education should be administered with gentleness.

The presense of other living being in the universe sounds a call, presents a vision, a fact, a mysterious reality that I cannot deny and to which I feel the impulse to relate.

I view physical violence on the other hand as a denial of life. A denial that in most cases shows a misunderstanding of the other or of the opponent and that the result of physical violence, though it often seemed necessary in passion, leaves one after the act, only with a sense of loss and the fact of wasted energy.

I believe that the use of physical force in war by nation states is an even greater waste than violence motivated by immediate passion. Even more so today where the techniques of war might involve the possible destruction of our entire civilized world. In my mind no cause justifies the murder of other human beings. This goes for both the innocent who would be harmed by such an act and for those we would call the enemy.

I was moved to this persuation by the politics of those, (Bayard Rustin and other pacifists whose words and acts early interested me), who stressed the morality of means in attempts to secure just ends. The tragedy of history seems to uphold this attitude and the necessity of bringing into play non-violent alternatives at points of crises in the future.

My conviction is not based on intellectual conclusions alone. But is primarily based on the promptings of my heart and [fol. 154] the sense of relationship with all living elements in nature. I continually put these various elements to the test in contemplation. You might say this is the subject of my soul. My convictions are the tools for acts, the distilled product of reflection.

I feel that my conviction as an objector to war has grown rather than lessened through the years and that I am more deeply committed to a non-violent attitude toward other beings now than ever before.

The actual application of this conviction has resulted in many acts on my part, such as the very important one of refusual to enter the armed forces. I have also been involved in other pacifist activities in recent years in an attempt to sway the drift toward war that the major nations of the world are caught up in. I have worked for both Acts for Peace in Berkeley and the new Committee for Non-Violent Action in San Francisco. I have participated in many demonstrations, vigils and protests and most recently took part in the protest of Nucular Testing at the Federal Building in San Francisco. At this protest, 37 of us, following promptings of conscience committed civil disobedience in an effort to confront the government with our disapproval of their policies and our alternative solutions. Everyone in the group firmly believed in non-violent action and no violence did occur. We treated the officials of the government who were our opponents with the love and gentleness we had for them as human beings. Trying by non-violent sanctions to alter their attitudes. They followed our example and practiced non-violence too. Neither party was left at the end of the protest with the waste and loss involved in physical force or violence.

I spoke at the beginning of a tradition that I felt my religious convictions belonged to. I would like to clarify that here. I feel that my convictions are not isolated or in a vacuum. I have the words and acts of men who have lived throughout history to inspire and back me up. I have the example and inspiration of Guatama whose four-fold truth is still a valid prescription for human happiness and if followed would bring an end to the threat of actuality of war. There is the Tao Te Cheng of Lao Tzu which so beautifully expresses a reverence and relationship to all the manifestations of the natural world. A work that was presented as an alternative in thought to political oppression of his time.

There is the example of non-violent action in some of the parables of Jesus and in the life of St. Francis.

There is the inspiration of the Bal Shem Tov founder of the Hassidic movement in Eastern Europe, who said the ex-

pression of love toward God and his images on earth, were open to all, even the most ignorant, that they might express that love in the manner by which they were moved. Even if they knew not a single letter or word of Torah.

There is in our own day the work of Ghandi who brought religious conviction into non-violent political activity.

[fol. 155] There is the love of life and reverence toward living things expressed by many poets throughout the ages. They seem to be brothers at the urn of some common goddess though she has never been finally named or particularized.

I feel that I am not being presumptious in using these revered individuals to give my convictions standing. For each man has the potential and choice of doing good and to my mind there is no confusion on the question of serving in the armed forces or opposing the preparation for war. I have no feelings of rightousness, but I do think I am obviously on the side of the 'angels' in this case. The religiousness in this man's body cries out for non-violent relationship, lovingness rather than unnatural death, energy and motives.

It is for the above reasons that I have refused, and do still refuse, to take part in any activity which violates these beliefs. I request that you give further consideration to my case and that my status as a conscientious objector to war be reviewed by you. I request that a Presidential Appeal be granted at this time in accordance with the laws and regulations which are applicable.

It is my further request that I be given a pre-induction physical examination. I have previously refused such an examination when it was proffered me, because I felt that to take such a physical would be a wholly useless act causing unnecessary expense and trouble for the government. I knew at the time that, regardless of the results of the physical, I could not serve in the Armed Forces because of the depths of my beliefs. However, I sincerely desire to follow all the laws and regulations which I possibly can. I have been informed recently, by legal counsel, that my

action in refusing to take the physical was premature and that, as a result, the question of the sincerity of my beliefs might never be able to be raised in court; should my case eventually result in court action. I will, if necessary, suffer the legal penalties of a jail sentence rather than violate my basic beliefs. However, I feel it would be very unfortunate if such a jail sentence were imposed as a result of my failure to follow a regulation rather than on my failure to prove the sincerity of my beliefs. I have no qualms at all about submitting my sincerity to the judicial process, should that become necessary. I therefore request that I now be given a physical examination so that if my other request for a review of my case and a re-determination of my status, is not granted, the true issue in my case may be presented to the courts for their determination.

It is my hope that you give this letter and what I have said consideration and that you reach a favorable decision regarding my pre-induction physical and the merits of a Presidential Appeal, but whatever your decision, I remain a conscientious objector to war and a porponent of non-[fol. 156] violence in both private and public affaris, prepared to accept the consequence of my actions.

Respectfully submitted,

Forest Britt Peter

Forest Britt Peter
442—65th Street
Oakland, California

Selective Service No.
4-53-38-188

July 6, 1962

[fol. 157]

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

No. 18,546

FOREST BRITT PETER, Appellant,

vs.

UNITED STATES OF AMERICA, Appellee.

Appeal from the United States District Court for the Northern District of California, Southern Division.

OPINION—October 30, 1963

Before: Madden, Judge of the Court of Claims,* and Hamlin and Browning, Circuit Judges.

HAMLIN, Circuit Judge:

This is an appeal from a conviction of violation of section 12(a) of the Universal Military Training and Service Act, 62 Stat. 622 (1948), 50 U.S.C. App. § 462(a) (1958). Appellant, Forest Britt Peter, having waived a jury trial, was found guilty of failure to submit to induction into the armed forces by the United States District Court for the Northern District of California, and was committed to the custody of the Attorney General for six months. Jurisdiction of this court is based on 28 U.S.C. § 1291 (1958).

On July 10, 1956, appellant registered for the Selective Service System with Local Board No. 53 in Hayward, California. On May 27, 1957, he completed and returned the standard classification questionnaire. He did not sign section VII of that questionnaire, relating to conscientious objector status, but submitted with the questionnaire a quotation from a poem which expressed opposition to war

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* Sitting by designation.

and a statement of his own concurring with the quotation.[1] [fol. 158] On March 10, 1958, the local board received from him a completed SSS Form 150 relating to conscientious objector status. In answer to question 1 in series II, "Do you believe in a Supreme Being?," he answered, "It depends on the definition. See 2 below." Question 2 of the series inquires as to the nature and quality of the belief, question 3 as to its source, and question 5 as to the circumstances, if any, in which force could be used; appellant referred to a separate sheet on which these questions were answered.[2] He stated he was not a member of a religious sect or organization.

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[1] . . . . . so in plain English

I am opposed to all war.
I don't believe human beings should kill each other.
I am opposed to all violence . . . for whatever reason.
i believe that wars will only end when men refuse to murder one another—for whatever reason.
I believe these things as a man and as a revolutionist. For I believe wars will only end when the present murderous forms of society are allowed to die—and all men are at last permitted to live together as brothers.

—from An Astonished Eye Looks out of the Air
—by Kenneth Patchen

I concur with the statements of Mr. Patchen that are listed above.

FOREST BRITT PETER
May 22, 1957

Portland
Oregon

[2] Series II.—Religious Training and Beliefs

2. Since human life is for me a final value, I consider it a violation of moral law to take human life. I think I have reached this conviction out of my reading of such writings as those of Blake (christian mystic), Emerson, Whitman, and more modern poets who have touched on the question.

I consider this belief to be superior to my obligation to the state.

In so far as this conviction is religious, it has been best described by Rev. John Haynes Holmes as follows: "Religion is the consciousness of some power manifest in nature which

[fol. 159] On July 10, 1959, the local board by a 2-to-0 vote classified appellant I-A. On August 3, 1959, appellant appeared at a hearing before the local board where he substantially reiterated the views previously stated. The local board determined by a 2-to-0 vote not to open the case, and a notice of classification was mailed to appellant on August 4. On August 7, appellant wrote a letter to the board which reads as follows:

"Dear Sirs,

"Thank you for your time the other night at the hearing. I'm sorry you were unable to classify me as a Conscientious Objector.

"The decision however, was not a surprise considering my lack of 'proof' and your lack of moral courage.

"I just hope the war you support won't kill us all in the next few years.

"To the future,

"Forest Britt Peter."

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helps man in the ordering of his life in harmony with its demands . . . (it) is the supreme expression of human nature; it is man thinking his highest, feeling his deepest, and living his best."

3. I would say that the source of my conviction concerning the sacredness of human life and the human spirit has been my experience and study in our democratic american culture, with its values derived from the western religious and philosophical tradition. As I have indicated above, I feel that I have learned of the values of this tradition through personal reading and meditation rather than through experience in any organized groups.

6. The use of violence (physical force) comprises the ends one seeks in action. I consider war to be the greatest example of this. The use of non-violence in the freeing of India and the Montgomery bus strike is an example of the kind of force I do believe in.

FOREST BRITT PETER
3/10/58

The clerk of the local board interpreted this letter as a request for appeal and forwarded the file to the appeal board on September 9. On October 8, the Appeal Board for the Northern District of California "tentatively determined that the registrant should not be classified in Class I-O or in a lower class," and forwarded the file to the Justice Department for investigation and hearing under section 6(j) of the Universal Military Training and Service Act, 62 Stat. 609 (1948), as amended, 50 U.S.C. App. § 456 (j) (1958). On July 29, 1960, the Conscientious Objector [fol. 160] Section of the Justice Department recommended to the appeal board that appellant's claim not be sustained, and a copy was mailed to appellant together with a letter advising him that he had thirty days within which to reply to the recommendation.[3] Appellant's reply was a long letter alleging inaccuracies and irrelevancies in the hearing officer's report together with a lengthy dissertation on his beliefs, their nature, quality, and source. On November 18, 1960, the appeal board by a 5-to-0 vote continued the classification of I-A.

On July 20, 1961, appellant was ordered to report for a pre-induction physical examination scheduled for August 30. Appellant replied with a letter dated August 15 which reads as follows:

"Dear Sirs,

"I will not appear for my Armed Forces Physical Examination August 30th, In accordance with my previously stated views and beliefs as a conscientious objector."

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[3] "The Hearing Officer reported that he told the registrant that belief in a Supreme Being was required and that at no time did the registrant suggest that he had a belief in a Supreme Being; that in answering the Hearing Officer's question, 'Are you prayerful?' the registrant had stated, 'No, I don't pray.'"

* * *

"The Hearing Officer concluded that the registrant evidenced neither religious training and belief nor belief in a Supreme Being as defined in the Military Training and Service Act and the Hearing Officer recommended that the claim of the registrant, based upon grounds of conscientious objection, be not sustained."

Appellant also forwarded a letter dated August 15, 1961.[4] Appellant was then ordered to report on November 22 for induction as a delinquent. He replied with a letter to the local board dated October 16 as follows:

> "I recently received from you a notice of delinquency for my failure to report for an Armed Forces Physical Examination on August 30, 1961. I do not consider myself delinquent. I remain as before, a conscientious objector to war and to all military institutions. I am a proponent of non violent action and reaction with [fol. 161] other human beings, and I could not and will not participate in a physical examination whose purpose is to define my fitness for services in the *Armed* Forces.
>
> "Once again,
>
> "Forest Britt Peter."

On advice of counsel, however, appellant reported to the Armed Forces Recruiting Station in Oakland, California, on the appointed day, and there refused to be processed for induction. He was not given a physical examination at that time. Appellant on later dates submitted letters to the local board, the California State Headquarters, and the Director of the Selective Service System, General Hershey, requesting a physical examination, with the avowed purpose of avoiding the effect of the doctrine of exhaustion of administrative remedies. These requests were denied.

On September 26, 1962, appellant was indicted for refusing to submit to induction and was tried and found guilty by the district court without opinion on November 16, 1962.

The issues in this case are: (1) Whether appellant qualifies as a conscientious objector; and (2) whether appellant was precluded from raising the defense because he failed to exhaust his administrative remedies.

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[4] The letter was almost an exact copy of the letter set out in note 1, *supra*.

In *Estep* v. *United States*, 327 U.S. 114, 122-23 (1946), the Supreme Court held that "the decisions of the local boards made in conformity with the regulations are final even though they may be erroneous. The question of jurisdiction of the local board is reached only if there is no basis in fact for the classification which it gave the registrant." Appellant contends that there was no basis in fact for the classification given him on the grounds that there is no evidence in the record that anyone at any time questioned the sincerity of his beliefs. The government contends that the local board and the Justice Department's hearing officer had the opportunity to observe the demeanor and attitude of the appellant in his appearances before them and that their refusals to classify him as a conscientious objector show some doubt as to his sincerity. There is some merit in the government's contention. However, even assuming that appellant was absolutely sincere, the record demonstrates that there was a basis in fact for the board's [fol. 162] determination that he did not meet the statutory requirements for a conscientious objector.[5]

Appellant concedes that exemption from service as a conscientious objector is not a matter of constitutional right but of legislative grace. To qualify for such a classification, a registrant must meet the standards set forth by Congress in section 6(j) of the Universal Military Training and Service Act, 62 Stat. 609 (1948), as amended, 50 U.S.C. App. § 456(j) (1958):

> "Nothing contained in this title . . . shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, *by reason of religious training and belief*, is conscientiously opposed to participation in war in any form. *Religious training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those*

[5] Appellant's contention that this case is "on all fours" with Parr v. United States, 272 F.2d 416 (9th Cir. 1959), is in error. The facts in the *Parr* case are entirely different.

arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code." (Emphasis added.)

Appellant contends that he meets the definition. His argument is that his beliefs have a religious foundation. In support of this, he stated at his trial:

> "A. I think my actions are probably motivated most thoroughly by a feeling of relationship and love towards other human beings and other living objects in the world, and in seeing these other living objects. I can narrow it down closer; I can define it as a belief in the mystery of the heart of them, the essence of being alive, and my respecting and loving this livingness in other objects and human beings."
>
> "Q. Well, now, in relation to the question of a Supreme Being—"
>
> "A. I suppose you could call that a belief in the Supreme Being or God. These just do not happen to be the words I use."

[fol. 163] In *Berman* v. *United States*, 156 F.2d 377, 380 (9th Cir.), *cert. denied*, 329 U.S. 795 (1946), this court defined the standard set forth in the predecessor to this act as follows: "It is our opinion that the expression 'by reason of religious training and belief' is plain language, and was written into the statute for the specific purpose of distinguishing between a conscientious social belief, or a sincere devotion to a high moralistic philosophy, and one based upon an individual's belief in *his responsibility to an authority higher and beyond any worldly one.*" (Emphasis added.) The court also quoted from *United States* v. *Macintosh*, 283 U.S. 605, 633-34 (1931) (Hughes, C.J., dissenting), that "the essence of religion is belief in a *relation to God involving duties superior* to those arising from any human relation." (Emphasis added.) It is true that when the *Berman* case was decided, there was no sentence in the statute defining "religious training and belief." However, the present statute does contain such a definition.

and it is by no means repugnant to the *Berman* definition. In fact, it adopts almost verbatim the wording from Mr. Chief Justice Hughes's dissent in *Macintosh* which the *Berman* court quoted with approval, changing only the word "God" to "a Supreme Being." In *George* v. *United States,* 196 F.2d 445, 451 (9th Cir.), *cert. denied,* 344 U.S. 843 (1952), this court in reaffirming the definition previously used stated that "it is evident that the definition which the Congress introduced into the 1948 Amendment comports with the spirit in which 'Religion' is understood generally, and the manner in which it has been defined by the courts. It is couched in terms of the relationship of the individual to a Supreme Being, and comports with the standard or accepted understanding of the meaning of 'Religion' in American society." Appellant has made no good argument as to why the statutory definition should be overruled, and, indeed, it is far beyond the power of this court to change the definition placed in the act by Congress.

It is significant that nowhere in the record of the proceedings before the administrative bodies did appellant manifest clearly and unequivocally a belief in a Supreme Being to Whom he owed obedience. When asked directly, "Do you believe in a Supreme Being?," he answered, "It depends on the definition." Later he referred to the act of killing as "a violation of moral law." Determination of [fol. 164] his meaning and of his demeanor and attitude were functions of the administrative bodies, and it cannot be said that they were unreasonable in their determination. Such statements were quite consistent with "a merely personal moral code," which is expressly excluded by Congress as a basis for classification as a conscientious objector. As was stated in the *Berman* case, 156 F.2d at 381, "There are those who have a philosophy of life, and who live up to it. There is evidence that this is so in regard to appellant. However, no matter how pure and admirable his standard may be, and no matter how devotedly he adheres to it, his philosophy and morals and social policy without the concept of deity cannot be said to be religion in the sense of that term as it is used in the statute." It was not until his trial for violation of the act that appellant

reluctantly and grudgingly stated that his beliefs might be construed as a belief in a Supreme Being.

We hold there was ample basis in fact for the determination by the selective service board that appellant's claim for exemption did not come within the language of the of the statute.[6]

Judgment affirmed.

[File endorsement omitted]

[fol. 165]

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

No. 18,546

FOREST BRITT PETER, Appellant,

vs.

UNITED STATES OF AMERICA, Appellee.

JUDGMENT—Filed and Entered October 30, 1963

Appeal from the United States District Court for the Northern District of California, Southern Division.

This Cause came on to be heard on the Transcript of the Record from the United States District Court for the Northern District of California, Southern Division and was duly submitted.

On Consideration Whereof, It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this Cause be, and hereby is affirmed.

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[6] By reason of our holding against appellant on this issue it is not necessary for us to consider the issue of whether or not he failed to exhaust his administrative remedies.

[fol. 166] [File endorsement omitted]

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

No. 18546

FOREST BRITT PETER, Appellant,

vs.

UNITED STATES OF AMERICA, Appellee.

ORDER DENYING PETITION FOR REHEARING
—December 10, 1963

Before: Madden, Judge of the Court of Claims,* and Hamlin and Browning, Circuit Judges.

The petition for rehearing in the above case is denied.

J. Warren Madden, Judge, United States Court of Claims.

O. D. Hamlin, James R. Browning, Circuit Judges.

[fol. 167] Clerk's Certificate to foregoing transcript (omitted in printing).

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* Sitting by designation.

[fol. 168]

SUPREME COURT OF THE UNITED STATES

No. ....., October Term, 1963

FOREST BRITT PETER, Petitioner,

vs.

UNITED STATES.

ORDER EXTENDING TIME TO FILE PETITION FOR WRIT OF CERTIORARI—January 6, 1964

Upon Consideration of the application of counsel for petitioner,

It Is Ordered that the time for filing petition for writ of certiorari in the above-entitled cause be, and the same is hereby, extended to and including January 24, 1964.

Wm. O. Douglas, Associate Justice of the Supreme Court of the United States.

Dated this 6th day of January, 1964.

[fol. 169]

SUPREME COURT OF THE UNITED STATES

No. 797, October Term, 1963

FOREST BRITT PETER, Petitioner,

vs.

UNITED STATES.

ORDER ALLOWING CERTIORARI—May 4, 1964

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted, and the case is placed on the summary calendar.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.